

**SUPPLEMENT TO THE
HOUSING ELEMENT
OF THE
PLEASANTON GENERAL PLAN**

ADOPTED OCTOBER 16, 1990

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SUPPLEMENT TO THE HOUSING ELEMENT
OF THE PLEASANTON GENERAL PLAN

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REPORT TO THE BOARD OF DIRECTORS
ON THE PROGRESS OF THE WORK

1. GENERAL STATEMENT

The Board of Directors has the honor to acknowledge the receipt of the report of the

management on the progress of the work during the year ending 1911. The report is

very satisfactory and shows a marked improvement in the financial condition of the

company. The management has done well in the execution of its duties and in the

management of the company's affairs. The Board of Directors is satisfied with the

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HOUSING ELEMENT REVIEW WORKSHEET

Locality City of Pleasanton Draft _____ Adopted _____ HCD Receipt Date _____

Contact Person Chandler Lee Phone# (415) 484-8023 Coastal Zone _____

Section numbers refer to the Government Code Article 10.6. Please provide the information referred to and the element page number(s) where the information is located. Additional information regarding each statutory requirement can be found in the HCD Housing Element Questions and Answers Paper on the page numbers following each requirement.

I. Housing Needs (65583(a)) (QA-6)

	Owner	Renter	Total	Page #
A. Number of existing households and housing units (QA-7)				
1. Households	<u>14,827*</u>	<u>4,183*</u>	<u>19,010</u>	<u>IV-4,33</u>
2. Housing units	<u>(78%)</u>	<u>(22%)</u>	<u>19,598</u>	<u>IV-33</u>
B. Lower income households overpaying (QA-6) for housing				
1. Total number	<u>569</u>	<u>990</u>	<u>1,559</u>	<u>IV-II,40</u>
2. % lower income			<u>66%</u>	
C. List pages where special housing needs groups are analyzed and provide the estimated number of households: (QA-13)				
1. Handicapped			<u>722*</u>	<u>IV-12,42</u>
2. Elderly	<u>n/a</u>	<u>n/a</u>	<u>1,634*</u>	<u>IV-12,42</u>
3. Large households	<u>n/a</u>	<u>n/a</u>	<u>2,984*</u>	<u>IV-12,42</u>
4. Farmworkers			<u>0</u>	<u>IV-12,42</u>
5. Families with female head			<u>1,634*</u>	<u>IV-12,42</u>
6. Homeless			<u>2</u>	<u>IV-12,42</u>
7. Other _____			<u>0</u>	<u>IV-12,42</u>
D. Number of overcrowded households (QA-7) (1%)	<u>n/a</u>	<u>n/a</u>	<u>190*</u>	<u>IV-5</u>
E. Number of housing units needing rehabilitation (QA-7)			<u>100</u>	<u>IV-5</u>
F. Number of housing units needing replacement (QA-7)			<u>10</u>	<u>IV-5</u>
G. Five-year projected new construction needs, including the locality's share of the regional housing needs as determined by COG or HCD; specify the time frame of the projections <u>1988-1995</u> and enter the construction need figures in the table below. (QA-4)				<u>IV-10,39</u>

Income Category	Five-Year New Construction Needs
Very low (0-50% of median income)	<u>745</u>
Other Lower (50%-80%)	<u>497</u>
Moderate (80-120%)	<u>709</u>
Above Moderate (over 120%)	<u>1,596</u>
Total Units	<u>3,547</u>

- H. If the regional housing needs provided by the Council of Governments or HCD has been revised, has the COG or HCD accepted the revision? (65584 (c)) not revised
List page(s) where the revision is justified. (QA-4) n/a
- I. Unless the employment and population trends are included in the regional housing needs figures provided by the COG or HCD, list the page(s) where these factors are analyzed. n/a

*NOTE: Estimate assumes 1980 percentage distribution multiplied by 1990 households or housing units.

II. Land Inventory (Sections 65583, 65583(a)) (QA-8)

Summarize in the table below the information on sites suitable for residential development within the five year planning period of the element. List page(s) where this topic is discussed, including the discussion of availability of services and facilities for the sites identified in the land inventory.

Page 1

IV-13,

Zoning/permitted housing type	Number of acres	Density range (units/acre)	Availability of services & facilities (e.g. infrastructure)	Dwelling unit capacity
Single family	2,045	0-8	All sites located immediately adjacent to City services & facilities	2,351+ + 1,237* 3,588
Multiple-family and rental	117	8+	All sites located immediately adjacent to City services & facilities	1,710+ + 648* 2,358
Mobilehomes, mfd. housing, mobilehome parks	-	-	-	0
Emergency shelter or transitional housing	# vacant acres within CC District = 1 acre	≤30	All sites located immediately adjacent to City services & facilities	30 MF
Sites with residential redevelopment potential (within time frame of element)	0	-	-	0
Currently non-residential	649a-SF 88a-MF	0-8 8+	All sites located immediately adjacent to City services & facilities	1,290 SF 1,143 MF
Other smaller in-fill residential parcels	500a 25a	0-8 8+	All sites located immediately adjacent to City services & facilities	2,600 SF 400 MF
TOTAL				7,478 SF 3,931 MF 11,409

* Units approved but not yet built

+ Large lots only; excludes numerous small, in-fill parcels (see other)

III. Constraints on Housing (65583(a)(4) and (5))

List pages where the housing constraints listed below are discussed:

Page #

- A. Governmental Constraints (QA-10) See Housing Element Supplement - Appendix C
1. Land use controls (e.g. zoning, growth controls, open space requirements) IV-14
 2. Codes and enforcement (e.g. any local amendments to UBC, degree or type of enforcement) IV-14
 3. On/off-site improvements (e.g. curbing requirements, street widths, circulation improv) IV-13
 4. Fees and exactions (permit fees & land dedication or other requirements imposed on developers) IV-14
 5. Processing and permit procedures (e.g. processing times, approval procedures) IV-14
 6. Other governmental constraints IV-14
- B. Nongovernmental Constraints (QA-12) See Supplement - Appendix C
1. Availability of financing IV-15
 2. Price of land IV-15
 3. Cost of construction IV-15
 4. Other nongovernmental constraints IV-15

IV. Quantified Objectives (Section 65583(b)) See Supplement - Appendix B

List quantified objectives for the maximum number of housing units over the ~~five~~ ^{seven} year time frame of the element to be: (QA-16) 1988-1995

- | | | | |
|------------------|--------------|--------------------------|--------------|
| A. Constructed | <u>3,547</u> | (Program 9.2 - p. IV-22) | <u>IV-10</u> |
| B. Rehabilitated | <u>10</u> | (Program 9.3 - p. IV-23) | <u>IV-5</u> |
| C. Conserved | <u>ALL</u> | (Program 9.4 - p. IV-23) | <u>IV-5</u> |

V. Other Topics

List pages where the following topics are discussed:

- A. Efforts to achieve public participation of all economic segments of the community in the development of the element (Section 65583(c)) (QA-33) IV-16
- B. Analysis of opportunities for energy conservation in residential development (Section 65583(a)(7)) (QA-15) IV-15
- C. Description of means by which consistency will be achieved with other general plan elements (Section 65583(c)) (QA-34) IV-16
- D. Evaluation and revision of the previous element according to the criteria of Section 65588(a) and (b): (QA-1)
1. "Effectiveness of the element" (Section 65588(a)(2)): A review of the actual result of the earlier element's goals, objectives, policies, and programs. The results should be quantified where possible (e.g., rehabilitation results), but may be qualitative where necessary (e.g., mitigation of governmental constraints). *
 2. "Progress in implementation" (Section 65588 (a)(3)): An analysis of the significant differences between what was projected or planned in the earlier element and what was achieved. *
 3. "Appropriateness of goals, objectives, and policies" (Section 65588 (a)(1)): A description of how the goals, objectives, policies, and programs of the updated element incorporate what has been learned from the results of the prior element. *
- E. For Coastal Zone localities, list the pages where the required information regarding construction, demolitions and conversions within the costal zone is provided (Section 65588(c) and (d)). (QA-35) n/a

*See Housing Element Supplement - Appendix B

VI. Housing Programs (65583(c)). Summarize programs in the element. (QA-18)

Program Purpose	Program action(s)	Agency responsible	Time frame	Page #
<i>Provide adequate sites</i> (65583 (c)(1)) 1. Insure total dwelling capacity equal to new construction need (QA-22)	Program 9.2	City Council	1988-1990	IV-22
2. Provide sites suitable for a variety of types of housing for all income levels, including rental housing and manufactured housing (QA-22)	Program 7.1 7.2 8.1 8.2 5.1 4.1	City Council	Annually	IV-19 IV-20 IV-22 IV-22 IV-18 IV-18
<i>Assist in the development of adequate housing to meet the needs of low and moderate income households</i> (65583(c)(2)) 1. Utilize federal and state financing and subsidies 2. Provide regulatory concessions and incentives (QA-26)	Program 7.4 7.5 7.7 7.8 11.1 11.2	City Council & Plan. Dept.	Annually	IV-20 IV-20 IV-20 IV-21 IV-23 IV-24
<i>Address and, where appropriate and legally possible, remove governmental constraints</i> (65583(c)(3)) 1. Land use controls 2. Building codes 3. Site improvements 4. Fees and exactions 5. Processing and permit procedures (QA-28)	Program 7.7 7.8 10.1 11.4 19.1	City Council & Plan. Dept.	Annually	IV-20 IV-21 IV-23 IV-24 IV-27
<i>Conserve and improve the condition of the existing affordable housing stock</i> (65583 (c) (4)) (QA-30)	Program 9.4 7.4 7.3	Build. Dept. & City Council	Annually Annually	IV-23 IV-20 IV-20
<i>Program to promote equal housing opportunity</i> (65583 (c) (5)) (QA-32)	Program 20.1 20.2	City Attorney	Annually	IV-27 IV-28
Other housing programs				

APPENDIX B: 1990 EVALUATION AND REVISION OF EXISTING POLICIES
AND PROGRAMS

CITY OF PLEASANTON
HOUSING ELEMENT UPDATE - 1990
EVALUATION AND REVISION OF EXISTING POLICIES AND PROGRAMS

IV. HOUSING GOALS, POLICIES AND PROGRAMS

Goal 1: To attain a variety of housing types, densities, designs and prices which meet the existing and projected needs of all economic segments of the community.

Type and Density

Policy 1: Ensure that at least 25% of the total housing stock at full development shall be multiple family, both owner and renter occupied.

Program 1.1: Allocate more than 25% of each year's residential development permits to multiple family housing through the City's Growth Management Program (3) until such time that the City attains its 25% objective.

Responsible Agency: City Council
Time Period: Annually
Funding Service: Not Applicable

1990 EVALUATION: Objective was exceeded. Continue program. Multiple family units exceed 26% of total housing stock, as of 1/1/90. More than 25% of housing units built were multiple family in 3 out of the past 4 years.

Housing Units Built 1986 - 1990

	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>
Total Units Built	580	864	1,612	1,243
Multiple Family (%)	53 (9%)	393 (46%)	908 (56%)	773 (62%)

Source: Housing Element Table IV-1

Policy 2: Maintain at least the amount of High Density Residential acreage currently designated on the General Plan Map.

Program 2.1: Replace each high density residential site which is redesignated with an equal or greater amount of high density residential acreage.

Responsible Agency: City Council
Time Period: As needed
Funding Service: Not Applicable

1990 EVALUATION: Objective met. Continue program.
No High Density Acreage was redesignated.

Policy 3: Stimulate development of **single family housing** units on lots of 20,000 square feet and greater.

Program 3.1: Exempt **minor subdivisions** of five lots or less from the provisions of the City's Growth Management Program.

Responsible Agency: City Council
Time Period: As Needed
Funding Source: Not Applicable

1990 EVALUATION: Objective met. Continue program.
The program is intended to encourage the small builder to build custom lots. The program resulted in the approval of 146 lots within minor subdivision from 1986 through 1988, as shown on Table IV-13.

Program 3.2: Zone sufficient land for R-1-20 and R-1-40 developments to increase the supply of large lots in peripheral areas.

Responsible Agency: Planning Department
Time Period: 1986-1987
Funding Source: Planning Dept. Budget

1990 EVALUATION: Objective met. Continue program.
Large lots were subdivided in many peripheral areas creating the desired low density edge of town. Other peripheral areas are still subdividing and require additional large lots.
(see Table IV-13)

Policy 4: Encourage **mobile homes** and factory built housing on appropriate located sites.

Program 4.1: Allow mobile home and **factory built housing** projects which have permanent foundations and meet all zoning and design review requirements on any parcel designated Medium or High Density Residential.

Responsible Agency: City Council
Time Period: As Needed
Funding Source: Not Applicable

1990 EVALUATION: None built. Continue program due to statutory requirements.

Program 4.2: Recommend one or more sites within the City limits exclusively for use as a **mobile home park**.

Responsible Agency: Planning Department
Time Period: 1986-1987
Funding Service: Not Applicable

1990 EVALUATION: No site selected. Few, if any, appropriate sites remain which would not meet neighborhood resistance. Discontinue program in favor of other affordable housing product types which can more easily meet neighborhood concerns, e.g. attached single family units, townhomes, etc.

Tenure

Policy 5: Encourage at least 50% of **multiple family** housing units to be rental apartments at buildout.

Program 5.1: Exempt multiple family **rental housing** projects of five units or less from the requirements of the Growth Management Program.

Responsible Agency: City Council
Time Period: As Needed
Funding Source: Not Applicable

1990 EVALUATION: Objective met. Continue program. Several smaller apartment projects were approved since 1986. This program encourages small builders to construct infill apartments without having to meet the requirements of the Growth Management Program. Also, add the following:

Program 5.2: Reserve 100 housing units per year above the Growth Management limit for rental projects which provide at least 25% lower income units.

Responsible Agency: City Council
Time Period: Ongoing
Funding Source: Not Applicable

Policy 6: Minimize displacement of tenants in rental apartments and mobile homes and encourage ownership of lower cost residential units by prior renters through the regulation of condominium conversions.

Program 6.1: Regulate condominium, townhouse and mobile home conversions and mitigate tenant displacement through the provisions of the City's Condominium Conversion Ordinance (5).

Responsible Agency: City Council
Time Period: As Needed
Funding Source: Not Applicable

1990 EVALUATION: Objective met. Continue program.
No conversions occurred.

Program 6.2: Deny conversion of apartment units to condominiums if the percentage of multiple family units available for rent, City-wide, is below 50%.

Responsible Agency: City Council
Time Period: As Needed
Funding Source: Not Applicable

1990 EVALUATION: Objective met. Continue program.
No conversions occurred.

Program 6.3: Require moving assistance and other means to minimize hardship of persons displaced by condominium conversions.

Responsible Agency: City Council
Time Period: As Needed
Funding Source: Condominium Converters

1990 EVALUATION: Objective met. Continue program.
No moving assistance needed.

Program 6.4: Require condominium converters to maintain rental units for households with special needs, such as the disabled.

Responsible Agency: City Council
Time Period: As Needed
Funding Source: Condominium Converters

1990 EVALUATION: No conversions. Continue program.
See Table IV-12 for a listing of units adaptable for or accessible to disabled occupants.

Affordability

Policy 7: Encourage 15% of the housing stock at full development to be affordable to the needs of lower income households.

1990 EVALUATION: The Mayor's Affordable Housing Task Force reviewed the percent allocation of lower income housing and recommends that the policy be revised to reflect regional share goals and local income levels. Therefore, revise Policy 7 and add programs, as follows:

Policy 7: Encourage the construction of housing affordable to lower income households consistent with regional share goals and income levels of current and future Pleasanton residents and workers.

Program 7.A: Use the Growth Management Program to establish an annual objective for lower-income housing units one year in advance of Growth Management allocations. This allocation should take into account the information contained in the Growth Management Report including housing need, job growth, jobs/housing balance, General Plan policies, regional share allocations etc.

Responsible Agency: City Council
Time Period: Annually
Funding Source: Not Applicable

Program 7.B: Grant priority within each year's Growth Management allocation to those projects fulfilling the lower-income housing objective established above.

Responsible Agency: City Council
Time Period: Annually
Funding Source: Not Applicable

Program 7.C: Extend the duration of low-income set aside units within apartment projects from 15 to a minimum of 30 years, wherever possible.

Responsible Agency: City Council
Time Period: Ongoing
Funding Source: Not Applicable

Program 7.D: Work with the U.S. Department of Housing and Urban Development (HUD) to maintain existing HUD subsidized units in Kottinger Place, Pleasanton Gardens, and Pleasanton Greens.

Responsible Agency: City Council
Time Period: Ongoing
Funding Source: Not Applicable

Program 7.1: Seek **State and Federal assistance** for the development of housing to meet lower income housing needs.

Responsible Agency: Planning Department
Time Period: Ongoing
Funding Source: State and Federal Funds

1990 EVALUATION: Objective met. Continue program. City applied for and received a Federal HODAG grant for \$4 million to help finance 200 lower income apartments for senior citizens.

Program 7.2: Exempt both owner and renter occupied **subsidized housing** (see Definitions Section) projects meeting appropriate design and location criteria from the requirements of the Growth Management Program.

Responsible Agency: Planning Department
Time Period: Ongoing
Funding Source: Not Applicable

1990 EVALUATION: Definition has led to confusion and does not guarantee provision of lower income housing. Therefore, revise, as follows:

Program 7.2: Reserve 100 housing units per year above the Growth Management limit for owner occupied and rental projects which provide at least 25% lower income units.

Responsible Agency: City Council
Time Period: Ongoing
Funding Source: Not Applicable

Program 7.3: Encourage inclusion of **subsidized housing** units in market rate housing projects and encourage inclusion of market rate housing units in subsidized housing projects.

Responsible Agency: Planning Department
Time Period: Ongoing
Funding Source: Planning Dept. Budget

1990 EVALUATION: The previous program resulted in 232 lower income units within market rate rental projects from 1986 through 1989, as shown in the following table. The program could be improved by clarifying the definition of subsidized and making it consistent with Program 7.2 which reserves 100 units per year for projects providing at least 25% lower income units. Therefore, revise as follows:

Program 7.3: Encourage inclusion of **lower-income housing** units in market rate housing projects.

Provision of Lower-Income Units in Market Rate Projects
Built from 1986 - 1989

<u>Project</u>	<u>Total Units</u>	<u>Lower-Income Units</u>	<u>Percent</u>
Stonderidge Apartments	520	78	15%
Hacienda Gardens	456	69	15%
Hacienda Commons	212	32	15%
Springhouse Apartments	354	53	15%

Source: Housing Element Table IV-12

Program 7.4: Provide **incentives** such as reduced development fees, assistance in providing public improvements, priority in permit processing, increased density, altered site development standards, mortgage revenue bonds, an affordable housing competition, etc. to encourage the development of lower and moderate income housing.

Responsible Agency: Planning Department
Time Period: Ongoing
Funding Source: Planning Dept. Budget

1990 EVALUATION: Objective met. Continue program.
This program resulted in reduced development fees, assistance in providing public improvements, priority in permit processing, City sponsored housing bonds, and other incentives to build the 200 unit lower income Ridgeview Commons senior apartment complex.

Program 7.5: Use the **low income fee** provision of the Growth Management Program to generate funds for the provision of lower income housing.

Responsible Agency: City Council
Time Period: Ongoing
Funding Source: Low Income Housing Fund

1990 EVALUATION: Objective met. Continue program.
This program resulted in the City contributing \$2 million for loan collateral and \$900,000 for predevelopment costs from the low income housing fund. Consequently, the fund has been significantly depleted and will require several years of housing fees, at current rates of \$400 per unit, or an increase in fees to revitalize the fund. In addition, the Mayor's Affordable Task Force has recommended increasing this fee. Therefore, add the following:

Program 7.X: Increase the low income housing fee from the current \$400 per market rate unit to \$X,XXX for single family units and \$x,xxx for multiple family units for the provision of lower-income housing consistent with A.B. 1600.

Responsible Agency: City Council
Time Period: Ongoing
Funding Source: Low Income Housing Fund

Program 7.6: Seek alternative, **non-traditional means** suited to the community to fill lower and moderate income housing needs, such as setting up locally assisted programs using funds other than those generated by the Growth Management Program.

Responsible Agency: Planning Department
Time Period: Ongoing
Funding Source: Planning Dept. Budget

1990 EVALUATION: Difficult to measure success. Lacks intent to preserve existing assisted units. More specific examples of locally assisted programs should be cited by reference from the Bay Area Council/ABAG publication entitled Blueprint for Bay Area Housing (Footnote 16). Therefore, revise, as follows:

Program 7.6: Seek alternative, **non-traditional means** suited to the community to fill lower and moderate income housing needs, and to preserve the affordability of assisted housing units (16).

Responsible Agency: Planning Department
Time Period: Ongoing
Funding Source: Planning Dept. Budget

Program 7.7: Reserve 100 housing units per year above the Growth Management limit for owner occupied and rental projects which provide at least 25% lower income units(3).

Responsible Agency: City Council
Time Period: Ongoing
Funding Source: Not Applicable

1990 EVALUATION: Objective met. Replaced by Program 7.2, therefore, delete the program. Program resulted in the construction of 1,542 affordable apartment units, 15% of which are set aside for lower income households (see Housing Element Table IV-12).

Program 7.8: Grant priority in **permit processing** to low and moderate income projects, if required.

Responsible Agency: Planning, Engineering,
and Building Depts.
Time Period: Ongoing
Funding Source: Planning, Engineering,
and Building
Department Budgets

1990 EVALUATION: Objective met. Program replaced by Program 7.B, therefore delete the program. The 200 unit Ridgeview Commons project was effectively "fast tracked" through the permit process.

In addition, the Mayor's Affordable Housing Task Force requested a City Council budget appropriation to fund a full-time Housing Development Coordinator to facilitate the production of lower income housing units. Therefore, add the following:

Program 7.Y Create a new position of Housing Development Coordinator to facilitate the production of affordable housing.

Responsible Agency: City Council
Time Period: Ongoing
Funding Source: General Fund

Policy 8: Encourage a minimum of 20% of all new housing units to be affordable to moderate income households.

Program 8.1: Use the Growth Management Program to ensure that 20% or more of each year's allocation is available for moderate income housing units.

Responsible Agency: City Council
Time Period: Annually
Funding Source: Not Applicable

1990 EVALUATION: Objective exceeded. Since the existing Housing Element was adopted in 1986, the City has approved 1,749 moderate income units or 52% of all units during that period, as shown in the following table.

Progress Towards General Plan Income Targets

INCOME CATEGORY:	GENERAL PLAN TARGET:		APPROVED UNITS, 1986-90:	
	(UNITS)	(% OF TOTAL)	(UNITS)	(% OF TOTAL)
<i>Very Low</i>	682	20%	100	3%
<i>Low</i>	455	15%	469	14%
<i>Moderate</i>	650	20%	1761	52%
<i>Above Moderate</i>	1463	45%	1079	32%
TOTAL:	3250	100%	3409	100%

04/12/90

(piii-23)

1990 EVALUATION: The Mayor's Affordable Housing Task Force reviewed the percent allocation of moderate income housing and recommends that the policy be revised to reflect regional share goals and local income levels. Therefore, revise Policy 8 and add programs, as follows:

Policy 8: Encourage the construction of housing affordable to **moderate income households** consistent with regional share goals and income levels of current and future Pleasanton residents and workers.

Program 8.1: Use the Growth Management Program to establish an **annual objective** for **moderate income housing** units one year in advance of Growth Management allocations. This allocation should take into account the information contained in the Growth Management Report including housing need, job growth, jobs/housing balance, General Plan policies, regional share allocations etc.

Program 8.2: Grant **priority** within each year's Growth Management allocation to those projects fulfilling the moderate-income housing objective established above.

Policy 9: Strive toward meeting Pleasanton's share of **regional housing needs**.

Program 9.1: Use the City's **Growth Management Program** to encourage the amount of low income housing necessary to meet local and regional housing needs.

Responsible Agency: City Council
Time Period: Annually
Funding Source: Not Applicable

1990 EVALUATION: Objective exceeded. Replaced by Program 7.A.
Does not address the zoning of land to meet regional needs.
Therefore, revise as follows:

Program 9.1: Use the City's Zoning Ordinance
to designate sufficient land at appropriate
densities to meet local and regional housing
needs.

Responsible Agency: City Council
Time Period: Annually
Funding Source: Not Applicable

Since 1980, the City has approved 623 low income units or
104% of its regional share, as shown in the following table.

PROGRESS TOWARD MEETING REGIONAL HOUSING NEEDS
HOUSING UNITS APPROVED 1980-1989

<u>Period</u>	<u>Above Mod</u>	<u>Moderate</u>	<u>Low</u>	<u>Very Low</u>	<u>Total</u>
1980-1990 (Need) (1)	1,923	855	598	898	4,274
1980-1989 (Approved)	5,407 (281% of goal)	2,839 (332% of goal)	623 (104% of goal)	180 (20% of goal)	9,049

Source: Growth Management Report, 1990

Program 9.2: Attempt to produce 3,250 housing
units between 1986 and 1990 according to the
distribution of income levels specified in
Table IV-6 and the tenure objectives
established in Policy 5.

Responsible Agency: City Council
 Time Period: 1986-1990
 Funding Source: Not Applicable

 1990 EVALUATION: Objective exceeded for all but very low income category. Revise program to meet 1995 regional housing needs of 3,547 units. Since 1980, the City has approved 281% of its regional share of above moderate income units, 332% of its share of moderate income units, 104% of its share of low income units and 20% of its share of very low income units, as shown in the preceding table. The City has made a substantial effort to produce very low income units by donating \$3 million in land, \$900,000 in predevelopment costs, and loaned \$2 million for the development of the Ridgeview Commons project which includes 80 very low income units.

Potential To Meet 1995 Regional Housing Needs
 Housing Units Built 1988 - 1989

<u>Period</u>	<u>Above Mod.</u>	<u>Moderate</u>	<u>Low</u>	<u>Very Low</u>	<u>Total</u>
1988-1995 (Need)*	1,596	709	497	745	3,547
1988-1989 (Built)	1,253	1,358	352	80	3,043
1990-1995 (Needed to Meet Goal)	343	exceeded	145	665	1,153

* ABAG, Housing Need Determinations, S.F. Bay Region, 1989

For the period 1988-1995, City policies allow for the regional housing targets to be met and exceeded. Given prior approvals for 1988 and 1989, the City would need to approve only 231 units per year to meet its total regional share, as shown in the table above. This is well within the annual maximum of 750 units allowed within the Growth Management Program. For the 1988-1995 period, the number of moderate income units already has been exceeded. The number of above moderate income units can easily be met and would only require 69 units per year which is much less than the City has approved in recent years. The number of low income units could be met if 29 units per year were included within the 100 unit set aside provided in the City's Growth Management Program. The number of very low income units will be difficult to provide, as it is in any city. The City would need to participate in several lower income projects similar to Ridgeview Commons, in order to meet the objective. In an attempt to meet the very low income goal, the City has funded a Housing Development Coordinator position to seek low and

Policy 11: Require each residential project to include its prorata share of low-income housing needs, as defined in Table IV-6, or to contribute an in-lieu fee to the low-income housing fund to facilitate the construction of low-income housing.

Program 11.1: Review and revise the low-income housing fee on market rate residential units annually according to the Consumer Price Index (CPI) and in conformance with AB 1600.

In addition, the Mayor's Affordable Housing Task Force has recommended the inclusion of a program to establish a new low income housing fee on commercial, office, and industrial properties. Therefore, add the following:

Program 11.A: Establish a low-income housing fee on new commercial, office, and industrial properties of \$.XX per square foot for properties located outside the Downtown Specific Plan area in conformance with AB 1600.

Responsible Agency: City Council
Time Period: Ongoing
Funding Source: Low Income Housing Fund

Program 11.B: Review and revise the low-income housing fee on commercial, office, and industrial properties annually according to the Consumer Price Index (CPI) and in conformance with AB 1600.

Responsible Agency: City Council
Time Period: Ongoing
Funding Source: Low Income Housing Fund

Program 11.C: Exempt all low and very low income housing units from the low income housing fee.

Responsible Agency: City Council
Time Period: Ongoing
Funding Source: Low Income Housing Fund

Program 11.2: Use the low income housing fund to help build low income housing on City-owned land.

Responsible Agency: City Council
Time Period: 1986-1990
Funding Source: Low Income Housing Fund

1990 EVALUATION: Objective met. Continue program.
This program resulted in the City contributing \$2 million for loan collateral and \$900,000 for predevelopment costs from the low-income housing fund to construct a 200 unit lower income senior project on City owned land.

Program 11.3: Use the **low income housing fund** to help finance affordable housing so as not to transfer additional costs to market rate income units.

Responsible Agency: City Council
Time Period: Ongoing
Funding Source: Low Income Housing Fund

1990 EVALUATION: Objective met. Continue program.
This program resulted in the City contributing \$2 million for loan collateral and \$900,000 for predevelopment costs from the low income housing fund to construct a 200 unit lower income senior project on City owned land.

Growth Management

Goal 2: To manage **residential growth** in an orderly fashion.

Policy 12: Regulate the number of **housing units** approved for construction each year according to the availability of infrastructure, the City's ability to provide public services, housing need and employment growth.

Program 12:1: Use the City's **Growth Management Program** to limit residential growth to between 0 and 650 units per year and and reserve an additional 100 units per year for projects which include 25% or more lower-income housing units.

Responsible Agency: City Council
Time Period: Ongoing
Funding Source: Not Applicable

1990 EVALUATION: Objective met. Continue program.
This program resulted in the City approving more than its regional share of lower and moderate income housing needs, as shown in above tables.

In addition, the Mayor's Affordable Housing Task Force reviewed the annual allocation of moderate income housing and recommends that the process include an annual objective for all income levels one year ahead of the annual allocation. Therefore, add the following programs:

Program 12.2: Use the Growth Management Program to establish an **annual objective** for housing units within each income category one year in advance of Growth Management allocations. This allocation should take into account the information contained in the Growth Management Report including housing need, job growth, jobs/housing balance, General Plan policies, regional share allocations etc.

Responsible Agency: City Council
Time Period: Ongoing
Funding Source: Not Applicable

Program 12.3: Grant **priority** within each year's Growth Management allocation to those projects fulfilling the income category housing objectives established above.

Responsible Agency: City Council
Time Period: Ongoing
Funding Source: Not Applicable

Goal 3: To **preserve and rehabilitate** the existing housing stock.

Age and Condition

Policy 13: Encourage the **maintenance** of safe, sound and well-kept housing, City-wide.

Program 13.1: Enforce provision of the City **Zoning and Building Codes**.

Responsible Agency: Planning Department
Time Period: Ongoing
Funding Source: Planning Dept. Budget

1990 EVALUATION: Objective met. Continue program. Difficult to quantify. Since 1986, the City has added a Code Enforcement Division within the Planning Department to enforce provisions of the Zoning and Building Codes.

Policy 14: Encourage the preservation of historically and **architecturally significant** residential structures especially in the downtown area (13).

Program 14.1: Designate historically **significant structures** for preservation in the Downtown Specific Plan.

Responsible Agency: Planning Department
Time Period: 1986-1988
Funding Source: Planning Dept. Budget

1990 EVALUATION: Objective met. Continue program. Since 1986, the City has prepared and adopted a Downtown Specific Plan which includes policies to preserve an identified list of historically significant buildings.

Policy 15: Eliminate all **substandard housing** conditions within the community.

Program 15.1: Maintain building and housing **code enforcement** programs and monitor project conditions of approval.

Responsible Agency: Planning and Building
Departments
Time Period: Ongoing
Funding Source: Planning and Building
Department Budgets;
CDBG Funds

1990 EVALUATION: Objective met. Continue program. Difficult to quantify. Since 1986, the City has added a Code Enforcement Division within the Planning Department to enforce provisions of the Zoning and Building Codes as well as individual project conditions of approval.

Relocation

Policy 16: Assist in the relocation of persons displaced by public activities.

Program 16.1: Support programs to assist in relocation activities, if needed.

Responsible Agency: Planning Department
Time Period: Ongoing
Funding Source: Planning Dept. Budget

1990 EVALUATION: Objective met. Continue program.
No persons were displaced by City projects and there was no need to relocate displaced persons, since 1986.

Goal 4: To provide adequate locations for housing of all types.

Policy 17: Disperse high density housing throughout the community, especially in areas near public transit, major thoroughfares, shopping and employment centers.

Program 17.1: Zone high density housing near public transit, major thoroughfares, shopping and employment centers.

Responsible Agency: Planning Department
Time Period: 1986-1987
Funding Source: Planning Dept. Budget

1990 EVALUATION: Objective met. Continue program.
The General Plan land use map reflects this policy. Since 1986, the City has approved 2,112 high density residential units on land designated for this use. In addition, the City has received applications or expressions of interest to redesignate another 147 acres to High Density Residential, as shown on the following table.

Acreage Which Could Be Redesignated to High Density

<u>Project</u>	<u>Location</u>	<u>Acres</u>
Summerhill Townhomes	Hacienda Business Park	12
Marsh Property	Sunol Blvd/Happy Valley	17
Kaiser Property	Sunol Blvd/I-680	62
Hahner Property	Vineyard Avenue	35
Madden Property	Stanley Boulevard	21

Source: Table IV-15

Policy 18: Encourage **residential infill** in areas where public facilities are adequate to support such development.

Program 18.1: Zone **infill sites** at densities compatible with infrastructure capacity.

Responsible Agency: Planning Department
Time Period: 1986-1987
Funding Source: Planning Dept. Budget

1990 EVALUATION: Objective met. Continue program.
Since 1986, the City has constructed more than 2,500 homes on parcels which could be considered infill locations.

Program 18.2: Allow **"granny flats"** in all R-1 zoning districts to increase the number of housing units while preserving the visual character within existing neighborhoods of single family detached homes.

Responsible Agency: Planning Department
Time Period: Ongoing
Funding Source: Planning Dept. Budget

1990 EVALUATION: Objective unmet. Continue program.
Since 1986, the City has received no applications for "second units". This is undoubtedly due to the large amount of construction on vacant land. As large tracts of land become increasingly scarce, the City anticipates a greater demand for infill projects such as second units. Therefore, the program should be kept in place for the future.

Policy 19: Reserve suitable sites for subsidized lower income housing.

Program 19.1: Acquire and appropriately zone sites for lower income subsidized housing through a program of land banking.

Responsible Agency: City Council
Time Period: By 1986-1990
Funding Source: General Fund, Low Income Housing Fund

1990 EVALUATION: Objective partially met. Revise program. The City successfully reserved and developed a 10 acre site for the 200 unit, lower income Ridgeview Commons project on City owned land. The City owns an additional 14 acres on the adjacent Corporation Yard which will be relocated in 1991. This and other properties are potential sites for City acquisition and/or development to meet the needs of lower-income households. However, the term subsidized has lead to some confusion and should be revised to be consistent with other policies which encourage the production of lower-income units. In addition, the Mayor's Affordable Housing Task Force has recommended the inclusion of a program to reserve specific sites for affordable housing. Therefore, the program should be revised as follows:

Program 19.1: Acquire, appropriately zone, and/or assist in the development of one or more sites for lower income housing as shown in Table IV-14.

Program 19.2: Issue tax exempt bonds to finance the construction of lower income housing units, to purchase land for such a use, and to reduce mortgage rates.

Responsible Agency: City Council
Time Period: As Needed
Funding Source: General Fund

1990 EVALUATION: Objective partially met. Continue program. The City successfully issued tax exempt bonds for the development of the 200 unit, lower income Ridgeview Commons project on City owned land. The City did not use such a technique for land purchase or mortgage write-downs. Because the City contributed \$6 million and considerable staff time to this project, other projects were postponed. The City has agreed to hire a full-time housing specialist for the next two years to select eligible projects and financing for the production of lower-income housing. Therefore, the program should be continued.

Goal 5: To **eliminate discrimination** in
housing opportunities in Pleasanton.

Policy 20: Prevent **discrimination** in City-owned
and market rate housing.

Program 20.1: Support **State and Federal**
provisions for enforcing anti-discrimination
laws.

Responsible Agency: City Attorney's Dept.
Time Period: As Needed
Funding Source: General Fund

1990 EVALUATION: Objective met. Continue program.
The Planning Department annually surveys all residential
projects which are required to rent units to lower-income
families as part of the Growth Management Program and the
City Attorney's Office monitors anti-discrimination
activities.

Program 20.2: Publicize information on **fair**
housing laws and refer all complaints to the
U.S. Dept of Housing and Urban Development,
ECHO, and the California Department of Fair
Employment and Housing.

Responsible Agency: City Attorney's Dept.
Time Period: As Needed
Funding Source: General Fund

1990 EVALUATION: Objective met. Continue program.
The City Attorney's Office publicizes this information,
informs builders of applicable laws and monitors all
complaints.

Policy 21: Provide for the **special housing needs**
of large families, the elderly, handicapped and
families with female heads of households.

Program 21.1: Provide **housing opportunities**
for households with special needs such as
studio and one-bedroom apartments for the
elderly, three-bedroom apartments for large
families, specially designed units for the
disabled, and affordable units for female
heads of households.

Responsible Agency: Housing Authority
and City Council
Time Period: Ongoing
Funding Source: General Fund

1990 EVALUATION: Objective partially met. Revise program. Since 1986, the City has approved construction of 1,742 apartment units with a mix of studios, one and two bedrooms. Included in these projects are 432 lower income units, 447 handicapped accessible units and 24 units adaptable for occupancy by disabled households, as shown in Table IV-12. The Mayor's Affordable Housing Task Force has recommended the inclusion of programs to increase the number of accessible and adaptable disabled units. Therefore, revise Policy 21 and add the following programs:

Policy 21: Provide for the **special housing needs** of large families, the elderly, the disabled, the homeless, and families with female heads of households.

Program 21.1: Provide **housing opportunities** for households with special needs such as studio and one-bedroom apartments for the elderly, three-bedroom apartments for large families, specially designed units for the disabled, emergency shelter and transitional housing for the homeless, and affordable units for female heads of households.

Responsible Agency: Housing Authority
and City Council
Time Period: Ongoing
Funding Source: General Fund

Program 21.2: Require as many lower income units within large rental projects to be **accessible and adaptable** to the disabled as possible.

Responsible Agency: City Council
Time Period: As Needed
Funding Source: Rental developers

In addition, the Mayor's Affordable Housing Task Force has recommended the inclusion of a program to target a portion of the City's Community Development Block Grant Funds to assist non-profit agencies providing services to special need households. Therefore, the following program should be added:

Program 21.3: Set aside a portion of the City's CDBG funds each year to special need service providers.

Responsible Agency: City Council
Time Period: As Needed
Funding Source: CDBG Funds

The Mayor's Affordable Housing Task Force also has recommended the inclusion of a program to allocate a portion of the low income housing fund to projects which accommodate the needs of special housing groups. Therefore, the following program should be added:

Program 21.4: Set aside a portion of the City's low income housing fund for housing projects which accommodate the needs of special housing groups such as the physically, mentally or developmentally disabled.

Responsible Agency: City Council
Time Period: As Needed
Funding Source: Low Income Housing Fund

In addition, the Mayor's Affordable Housing Task Force has recommended the inclusion of a program to encourage the production of housing for the disabled in Downtown infill locations. Therefore, the following program should be added:

Program 21.5: Encourage the production of housing for the disabled in Downtown infill locations which are accessible to City services.

Responsible Agency: City Council
Time Period: As Needed
Funding Source: Not Applicable

The Mayor's Affordable Housing Task Force also has recommended the inclusion of a program to support the development of group homes for six persons or less throughout the community. Therefore, the following program should be added:

Program 21.6: Encourage the conversion or development of group homes for six persons or less in appropriate locations throughout the community.

Responsible Agency: City Council
Time Period: As Needed
Funding Source: CDGB, Low Income Funds

The Mayor's Affordable Housing Task Force also has recommended the inclusion of a program to support the continuance of funding for federally assisted housing projects such as Section 8 units. Therefore, the following program should be added:

Program 21.7: Work the Alameda County Division of Housing and Community Development (HCD) to maintain funding for Section 8 and other **federal subsidy programs.**

Responsible Agency: City Council
Time Period: As Needed
Funding Source: Not Applicable

Recent California laws require an analysis of and provisions for emergency shelters and transitional housing for the homeless. Table IV-10 identifies two homeless individuals in Pleasanton. State law requires that the needs of this special need group be addressed in the Housing Element. The Mayor's Task Force has reviewed these programs and recommends their inclusion in the Housing Element. Therefore, add new programs, as follows:

Program 21.8 Designate the C-C (Central Commercial) Zoning District for the location of emergency shelters and for transitional housing for the **homeless.**

Program 21.9 Amend the Zoning Ordinance to allow **emergency shelters and transitional housing** as a permitted use in the C-C District.

Program 21.10 Work with Homebase, the Family Crisis Center and other organizations to assist the City in locating and constructing an **adequate facility** for use as an emergency shelter and for transitional housing for the homeless.

Goal 6: To balance housing development
with **environmental protection**.

Policy 22: Preserve and enhance **environmental quality** in conjunction with the development of housing.

Program 22.1: Continue **environmental impact review** procedures as required by the California Environmental Quality Act (CEQA).

Responsible Agency: Planning Department
Time Period: Ongoing
Funding Source: Planning Dept. Budget

1990 EVALUATION: Objective met. Continue program.
The Planning Department conducts environmental review of all residential projects, according to CEQA.

Policy 23: Encourage **energy and water conservation** designs and features in residential developments.

Program 23.1: Consider building orientation, street layout, lot design, landscaping and street tree configuration in **subdivision review** for purposes of solar access and energy conservation.

Responsible Agency: Planning, Building, and Engineering Departments
Time Period: Ongoing
Funding Source: General Fund

1990 EVALUATION: Objective met. The Planning Department includes water and energy conservation mitigation measures as conditions of approval in all residential projects. The Planning Commission recommended including consideration of ceiling height as a means to reduce energy consumption. Therefore, revise as follows:

Program 23.1: Consider building orientation, ceiling height, street layout, lot design, landscaping and street tree configuration in **subdivision review** for purposes of solar access and energy conservation.

Responsible Agency: Planning, Building, and
Engineering Departments
Time Period: Ongoing
Funding Source: General Fund

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APPENDIX C: CONSTRAINTS ON HOUSING DEVELOPMENT IN PLEASANTON

A P P E N D I X C

CONSTRAINTS ON HOUSING DEVELOPMENT IN PLEASANTON

A. Introduction

California law states that the housing element of general plans must include an analysis of constraints on housing development. This analysis must include a discussion of governmental constraints, including land use controls, building codes and enforcement, on and off-site improvements, fees and exactions, processing and permit procedures, and constraints related to the local infrastructure of services and facilities. It must also discuss nongovernmental constraints. Market constraints on housing, the most prominent nongovernmental constraint, can be approached by examining the major factors contributing to the sale price or rental cost of housing including construction costs and financing.

B. Governmental Constraints

1. Growth Management Program

The growth of Pleasanton's housing stock has fluctuated greatly over the course of the City's development, as shown in Table IV-1. The construction of several thousand housing units during the early 1970's led to an overburdened sewage treatment system and a major slowdown of housing growth during the late 1970's. The wide fluctuations resulted in the City adopting a Growth Management Program in 1978 which controlled the City's residential growth rate according to sewage capacity and air quality constraints. Since the Growth Management Program was adopted, the City has made substantial progress in reducing these constraints and has modified

TABLE IV-1

POPULATION AND HOUSING UNITS 1970 - 1990

	<u>1970</u>	<u>1975</u>	<u>1980</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>Est. 1990</u>
Popula- tion	18,328	31,667	35,160	40,740	45,371	46,346	48,482	51,956	55,129
Persons/ Household	3.66	3.35	3.107	3.068	3.059	3.040	2.989	2.907	2.900
House- holds	5,004	9,400	11,317	13,249	14,800	15,212	16,186	17,835	19,010
Vacancy Rate	9.38	3.72	3.08	5.33	3.26	4.21	3.33	2.83	3.00
Total Housing Units	5,522	9,763	11,665	13,995	15,299	15,879	16,743	18,355	19,598
Single Family Units-Detached (1)	n/a	n/a	8,558	10,155	10,828	11,213	11,581	12,229	12,617
Single Family Units-Attached (2)	n/a	n/a	824	1,113	1,403	2,547	1,649	1,706	1,790
Single Family Units-Total (%)	4,837 (88%)	7,882 (80%)	9,382 (80%)	11,268 (80%)	12,231 (80%)	12,760 (80%)	13,230 (79%)	13,935 (76%)	14,407 (74%)
Multiple Family(3) Units	685	1,881	2,283	2,379	2,723	2,776	3,169	4,077	4,850
Mobile Homes	n/a	n/a	n/a	348	345	343	344	343	344
Multiple Family Units				2,727	3,068	3,119	3,513	4,420	5,194
Total (%)	(12%)	(20%)	(20%)	(20%)	(20%)	(20%)	(21%)	(24%)	(26%)

Sources: California Department of Finance, Summary Report: Alameda County Controlled Population Estimates, 1980 - 1990 and Population Estimates for California Cities and Counties 1970 - 1980; U.S. Bureau of the Census, 1970 and 1980 Census of Population and Housing; California Department of Finance, 1975 Special Census for Pleasanton. All estimates are as of January 1 of each year except 1970, 1975 and 1980 which are as of April 1.

- (1) Detached Single Family: Detached single family homes have open space on all four sides
- (2) Attached Single Family: Attached single family homes have common walls from foundation to ceiling which form property lines
- (3) Multiple Family: Multiple family structures contain two or more units on a single parcel

its Growth Management procedures accordingly. The City has maintained its Growth Management Program in order to phase residential growth according to the availability of infrastructure, especially roadways and sewage capacity, and to manage the supply of buildable residential sites to meet continued future demand.

The City's Growth Management Program (GMP) (attached) contains six components which regulate the rate and type of residential development within the City limits. The City regulates the number of housing units which can be approved in each year using a range of between 0 and 650 units annually. This range is more than sufficient to meet the City's share of regional housing needs. The yearly allocation made within that range is based on an assessment of infrastructure (e.g., sewer), services (e.g., police), employment growth and housing need as evaluated in a periodic Growth Management report.

Projects are granted growth management approval based on the project's compliance with City policies, such as the provision of public facilities. The City distributes Growth Management approvals over time using long-term agreements and small project allocations. Long-term agreements typically divide large projects into yearly phases of 30 to 150 units. Small projects of 50 units or less constitute the remainder of the allocations in each year.

Sufficient sewer capacity is set aside to accommodate the projected amount of residential development to the year 1995.

2. General Plan and Zoning Regulations

The General Plan establishes thirteen land use categories with which development must be consistent. The General Plan Map indicates the general types of land uses allowed within each category and illustrates the general location where those uses are allowed within the Planning Area. Any proposed project which does not conform to the land use designation shown on the General Plan Map must receive a General Plan Amendment to an appropriate designation before the project can be approved by the City Council. Amendments to each General Plan element are allowed up to four times per year.

TABLE IV-6

PROGRESS TOWARD MEETING REGIONAL HOUSING NEEDS
HOUSING UNITS APPROVED 1980-1989

<u>Period</u>	<u>Above Mod</u>	<u>Moderate</u>	<u>Low</u>	<u>Very Low</u>	<u>Total</u>
1980-1990 (Need) (1)	1,923	855	598	898	4,274
1980-1989 (Approved) (2)	5,407 (281% of goal)	2,839 (332% of goal)	623 (104% of goal)	180 (20% of goal)	9,049

POTENTIAL TO MEET 1995 REGIONAL HOUSING NEEDS
HOUSING UNITS BUILT 1988-1989

<u>Period</u>	<u>Above Mod</u>	<u>Moderate</u>	<u>Low</u>	<u>Very Low</u>	<u>Total</u>
1988-1995 (Need) (3)	1,596	709	497	745	3,547
1988-1989 (Built)	1,253	1,358	352	80	3,043
1990-1995 Needed to Meet Goal	343	0	145	665	1,153

(1) ABAG, Housing Needs Determinations - San Francisco Bay Region, December 1983

(2) For a detailed listing of housing projects contributing to these approved units, see City of Pleasanton, Pleasanton Residential Projects, 1/1/90

(3) ABAG, Housing Needs Determination, January 1989

The City's zoning ordinance further defines land use types and densities, building height, parking and other requirements of development. Proposed projects which do not conform to these requirements must obtain a rezoning or a zoning variance before receiving development approval. Zoning designations must be consistent with the General Plan land use map. The following is a general description of the land uses allowed under the Pleasanton General Plan.

When zoning individual properties, the City shall attempt to balance development at the upper end of the General Plan density range with those at the lower end so that the average densities are realized, city-wide. The average densities were used to calculate the holding capacity of the Pleasanton Plan and resulting levels of traffic, noise and air quality.

Residential Areas

RURAL DENSITY RESIDENTIAL - No more than .2 dwelling units per gross acre. Clustering of development shall be encouraged with lots of 1/2 acre and larger but smaller lots shall be allowed.

LOW DENSITY RESIDENTIAL - Less than 2 dwelling units per gross acre.

MEDIUM DENSITY RESIDENTIAL - Between 2 and 8 dwelling units per gross acre.

HIGH DENSITY RESIDENTIAL - Greater than 8 dwelling units per gross acre.

Any residential project zoned Planned Unit Development may be eligible at the discretion of the City Council for a 25% density bonus above the maximum allowable densities shown above.

Any housing type (detached and attached single family homes, duplexes, townhouses, condominiums and apartments) in addition to churches, schools, day care facilities, and other community facilities may be allowed in any of the residential designations provided that all requirements of the Zoning Code are met.

3. Infrastructure

a. Sewage Disposal

Pleasanton owns, operates and maintains a wastewater collection system within its boundaries totaling about 140 miles and consisting of local and trunk sewer pipes ranging in size from 6 to 27 inches in diameter. There are six trunk sewers and ten pump stations in the system in addition to numerous sewer mains and collectors.

Based on the projected wastewater flow at buildout of the General Plan, Pleasanton will require extensive improvements to its existing collection system. These improvements include construction of 40 new sewers, seven diversion structures and modifications to five pump stations costing approximately \$19 million. These improvements do not include in-tract sewers or pipelines smaller than ten inches which are assumed to be paid for by developers of individual projects.

Treatment Plant

Under contract, Dublin San Ramon Services District (DSRSD) provides wastewater treatment services to the City of Pleasanton. The DSRSD treatment plant, located immediately southeast of I-680 and Stoneridge Drive provides primary and secondary treatment.

The existing DSRSD treatment facility is designed to accommodate 9 million gallons per day (MGD) of wastewater. DSRSD has awarded the contract for the construction of a plant expansion that will increase plant capacity from 9 to 11.5 MGD. This expansion is scheduled for completion by 1988. The City of Pleasanton is presently entitled to 5.347 MGD of the DSRSD's total plant capacity of 9.00 MGD. In January 1984, DSRSD completed a treatment plant master plan that provides staged expansion of treatment facilities to an ultimate capacity of 36 MGD, which would enable buildout of the Pleasanton Planning Area and other areas within the DSRSD service area. The DSRSD plant first would be expanded as much as possible on its present site, then, additional capacity would be provided at the old Camp Parks treatment site.

Disposal System

The current disposal system is owned and managed by the Livermore Amador Valley Water Management Agency (LAVWMA), a joint powers agency comprised of DSRSD and the Cities of Livermore and Pleasanton. The facilities consist of reservoirs, a pumping station and a pipeline to convey the treated wastewater across Boehmer Summit to the San Francisco Bay. LAVWMA facilities connect with the East Bay Dischargers Authority's (EBDA) interceptor and outfall system for discharge of treated wastewater to the deep waters of the San Francisco Bay.

The pipeline has a current capacity of 16.6 MGD which is being expanded to 21 MGD. Pleasanton and DSRSD are currently studying alternatives to increase this export capacity to accommodate development in the Valley to the year 2010 which is estimated to require between 26.0 and 42.0 MGD. Such an expansion of LAVWMA's facilities would not be complete until at least 1991.

b. Water

The adequacy of Pleasanton's water system depends on the supply of water available and the capacity of storage facilities and distribution systems to deliver water on demand. Water supplies must be capable of meeting maximum day demands; storage must be capable of meeting peak hour demand in addition to fire flow volumes and an emergency reserve; and the distribution system must be able to provide required flows at adequate pressures throughout the system. The Planning Area has been divided into three pressure zones for purposes of analyzing the adequacy of water supply, storage and distribution.

Pleasanton's current contract with Zone 7 allows the City to use a maximum of 3500 acre feet per year (an average of 3.1 Million Gallons per Day) from groundwater with the remainder to be obtained from Zone 7. Zone 7 has projected that it can supply sufficient water supplies to meet the City's future needs assuming that it receives its projected allocation from the State Department of Water Resources through the State's planned Delta water transfer and storage facilities, (10, 10a). In order to meet future needs, based on buildout of

its customers' General Plans, Zone 7 plans to provide additional water treatment and storage facilities to increase its system capacity from its current 36 MGD, of which Pleasanton currently uses 10.7 MGD, to 87 MGD, of which Pleasanton is scheduled to use 41.7 MGD.

Although Zone 7 is projected to have an adequate supply of water, two additional pipelines will need to be built by about 1988 in order to accommodate projected maximum day water demands. Although this deficiency could be overcome by building booster pumps to increase pressure from Zone 7 turnouts, the best solution would be to build a 36 inch pipelines from the Del Valle Water Treatment Plant along the alignment of Vineyard Avenue to a terminus near First Street (the Vineyard Avenue pipeline). In addition, a 24 inch pipeline paralleling the Arroyo Mocho will be needed to connect Santa Rita and Hopyard Roads (the Mocho pipeline). Following construction of these two pipelines, it is anticipated that by 1995 an additional cross valley pipeline will be needed to maintain adequate delivery pressure and to avoid having the City pump water from the Zone 7 system.

Water Storage

Water storage reservoirs are used to allow the City's water supply to be delivered at a relatively constant rate over a 24 hour period and to accommodate hourly fluctuations in demand in addition to required fire flows and an emergency reserve. Pleasanton stores its water in nine reservoirs which serve the three pressure zones comprising the Planning Area. These reservoirs include the Foothill reservoir (above Stoneridge Mall), the Kottinger reservoir (above Kottinger Drive), the Bonde reservoir (above Abbie Street), and several smaller tanks located on Pleasanton Ridge.

In order to meet the City's projected storage needs to the year 2010, four additional reservoirs will be needed. They include a Sycamore Reservoir, (8 MGD; located in Happy Valley), a Tassajara Reservoir (8 MGD; located north of I-580), a Terminal Reservoir (3 MGD; located near Kottinger

Drive), and a Bernal Reservoir (7 MGD; located southwest of Bernal Avenue and Foothill Road).

Distribution System

The City's distribution system is composed of a system of pipes sized to delivery water at sufficient volumes and pressure to service residential, commercial and industrial users. Under average conditions, water pressure must be maintained at not less than 40 pounds per square inch (psi) nor more than 125 psi at the location of each user. During peak hourly periods, pressure must be at lest 30 psi and during periods of major fire demands, pressure must be at least 20 psi. Water pipes are located under most City streets to service residential, commercial and industrial customers.

Numerous additional water pipes will need to be constructed or improved in order to meet the City's projected water use to the year 2010. Totaling almost five miles in length, these additional pipes should be built as new development occurs.

Water Quality

Water from the State Water Project is surface water which is treated and disinfected by Zone 7. The quality of this water, which comprises about two thirds of Pleasanton's supply, is good although occasional taste and odor problems occur. Groundwater taken from the City's wells are lower in quality with total dissolved solids averaging from 400 to 550 milligrams per liter (mg/l). The only customer complaints about water quality arise when an area is shifted from surface water to ground water or vice versa. The City makes this shift as needed to fully utilize the 3500 acre feet per year ground water allocation called for in its agreement with Zone 7. There is no convenient or economical way for the City to eliminate this shift in water sources.

c. Storm Drainage

The local storm drainage system consists mostly of underground pipes, and some natural swales in hilly areas, which carry water runoff from all points within the drainage basin to the flood control

channels known locally as arroyos. New development is required to install adequately sized storm drains on site which connect to a network of drains under City streets. Most projects within the City have been required to size their storm drains to accommodate major rainfalls, although portions of the storm drain system in the downtown area have experienced overflows during heavy rains. The area along Kottinger Drive near the Kottinger Place Senior Center is an example of an older, undersized storm drain which recently overflowed and currently is being investigated for improvements.

In the future, installation of storm drains will continue to be required of new developments and adequately sized to accommodate buildout of the Planning Area. Improvements to the older portions of the storm drain network are scheduled for improvement in periodic increments, as needed, and budgeted in the City's Capital Improvement Program.

d. Flood Control

The responsibility for flood control within the Planning Area lies with the Alameda County Flood Control and Water Conservation District, known locally as Zone 7. Their responsibilities with regard to flood control include improving and maintaining existing flood control channels. Most of these channels, the arroyos, have been improved recently in conjunction with new development projects. The Arroyo de la Laguna, south of Bernal Avenue, has not been channelized and supports a distinct riparian corridor. Improvements to this portion of the Arroyo de la Laguna should be designed to retain riparian flora and faunas if possible. Improvements may include selective pruning, use of berms and setbacks or construction of bypass channels. The installation of trapezoidal channels should be considered only as a last resort.

In the future, the City will continue to cooperate with Zone 7 to improve and maintain the flood control system. Areas where flood control improvements still need to be made include the confluence of the Arroyo Las Positas and the Arroyo Mocho in the area between El Charro Road and the existing City limits. Other improvements required by full development of the Pleasanton Planning Area

are included in Zone 7's Improvement Plan and will be constructed as development requires.

4. Public Services

a. Schools

Pleasanton is known for the quality of its school system and the General Plan contains policies and programs to ensure their continued excellence. Although schools are an integral part of the quality of life in Pleasanton, school facilities and services are provided by three independent school districts. The Pleasanton Joint School District serves elementary school children in kindergarten through eighth grades, in most of Pleasanton. The Murray School District serves the same age group in the northwest section of Pleasanton and in Dublin. The Amador Valley Joint Union High School District serves high school children in Pleasanton, Dublin and Sunol.

Following a period of declining enrollment and the closure of the Pleasanton Middle School, enrollment has increased in recent years. Recent housing development has diminished available capacity in several schools. In order to address the short and long range facility needs of the Pleasanton Joint School District, the Board of Trustees has developed enrollment projects and an evaluation of the effects of future residential growth in Pleasanton on the school district's facilities.

The conclusions drawn by these reports include the need for a new middle school by the fall of 1987 and a new elementary school by the fall of 1990. In addition to these two facilities, the General Plan Map sets aside additional elementary school sites in the Stoneridge Drive corridor and on the San Francisco Water Department lands. The City of Pleasanton School Districts and developers are working on a program to finance the new middle school. The financing of this project will be provided by Proposition B revenues, School District funds and a school impact fee. The school impact fee will be assessed on building permits issued for new housing construction. Although temporary school structures will have to be used in the interim, these improvements will create sufficient school capacity for the efficient operation of

Pleasanton schools through buildout of the General Plan.

b. Fire Services

The Pleasanton Fire Department is responsible for fire protection and suppression for all areas within the City limits (15 square miles) in addition to providing contractual services in a number of developed areas outside the City limits including Happy Valley, Reman Tract and Castlewood as well as the Arroyo Vista Housing Tract within the City of Dublin. The California Department of Forestry has jurisdiction in the remainder of protection services through its Sunol Ranger Station located on Sunol Road. The Sunol Station also has jurisdiction over several pockets of unincorporated land adjacent to Pleasanton which logically should be served by the Pleasanton Fire Department. The eastern portion of the Planning Area is under the jurisdiction of the County Fire Patrol located in Livermore.

The location of fire stations within the Planning Area determine in large part the time it takes for a fire engine to travel from the station to the location of the fire. The ideal response time is less than three minutes and should be no more than five minutes based on the time it takes for a building fire to get out of control (i.e., flash-over) and the critical period for providing medical or other emergency services. The Pleasanton Fire Department currently has a response time average of three minutes and twenty-five seconds. The majority of the Planning Area lies within a three minute response time and the remainder lies with a five minute response time.

In addition to response times, fire apparatus and personnel are important factors in fighting and preventing fire hazards. Pleasanton's Fire Department fire prevention, suppression and rescue equipment consists of 13 vehicles, i.e., four engines, one 65-foot aerial ladder truck, two rescue squads, one grass vehicle, one command vehicle and four administrative vehicles.

The Department's paid personnel numbers 50, of which 47 engage in fire suppression. The Sunol station has a minimum of one engine and two men for

structural response only during the non-fire season and a maximum of three engines and ten men during the fire season. A typical wildland fire, in comparison, could demand as many as five engines, two administrative vehicles and fifteen firefighters along with access to helicopters and aerial tankers. In order to address this potential deficiency, the Pleasanton Fire Department participates in the Twin Valley Mutual Aid Agreement which provides for additional fire suppression services, personnel, and support equipment including nine engine companies, one truck company, twenty-four firefighters, nine chief officers, and Breathing Air Support/Lighting vehicles for building fires. The Mutual Aid Agreement, also provides 13 grass fire vehicles with 26 firefighters, ten chief officers, one bulldozer and three water tankers for wildland fire control.

Another important requirement in fire suppression is adequate fire flow which is the amount of water, expressed in gallons per minute, available to control a given fire. The total fire flow needed to extinguish a given fire is a function of building construction, occupancy, area, and height; fire loading; and distance between buildings. The City's Fire Department uses the Insurance Services Office (ISO) rating system for determining necessary fire flow. Fire flow for a given building is totally dependent on a reliable water supply, standards for which are set nationally and by the City in its Design Guide. Pleasanton's fire flow is adequate throughout the City with a few exceptions, including portions of Downtown and the Southeast Hills. Measures to mitigate problems in these areas include the addition of sufficient reservoirs and/or water mains and hydrants or built-in fire protection systems, such as automatic fire sprinklers.

5. Streets and Highways

Pleasanton is served by an extensive roadway network which includes freeways, arterials, collectors and local streets. Freeways are characterized by their limited access and grade separations and primarily serve long distance trips. Arterials feed through traffic to freeways, provide access to adjacent land uses primarily at

intersections, and feature traffic control measures. Collectors provide access to adjacent land uses and feed local traffic to arterials. Local streets are designed to serve only adjacent land uses and are intended to protect residents from through traffic.

In order to accommodate buildout of the General Plan, a wide range of street, highway and intersection improvements must be constructed in a timely fashion. Many roadway improvements were installed prior to development of major business parking in North Pleasanton resulting in the uncongested Levels of Service in Pleasanton today. Improvements must continue to be installed prior to large amounts of residential and employment growth or congestion will result. Therefore, the time of improvements must be coordinated with anticipated occupancies of large residential and commercial projects in order for acceptable Levels of Service to be maintained.

In order to make roadway improvements effective, additional traffic mitigations should be installed. Traffic signals, for example, are a critical mechanism to ensure the safest and most efficient flow of traffic.

The City is in the process of establishing a computerized traffic monitoring and signalization system. The hardware has been purchased and the software and signal coordinators are being installed to enable automatic tabulation of traffic counts and Levels of Service as cars pass over sensors built into City intersections. This system is fully operational at nine intersections, however, it will take several years to complete the system to the ultimate size of 33 intersections. The system will provide a reliable check against annual traffic counts. The City will give a high priority to completing this system as soon as possible to ensure that future traffic congestion is anticipated and mitigated, where necessary.

Transportation Systems Management (TSM) is a broad term referring to the efficient use of all types of transportation but usually includes non-roadway improvements measures such as ridesharing, flextime, bicycling, walking, telecommuting and other means to reduce automobile trips. The City

of Pleasanton has adopted the first city-wide Transportation Systems Management (TSM) ordinance (13) in the nation. The TSM ordinance calls for employers to reduce peak hour traffic trips by 45% over a four year period. The ordinance requires all employers and business parks to better utilize existing roadways and transit alternatives in order to maintain the City's standard of Level of Service D at all major intersections outside of Downtown. The City is participating in this joint effort with employers to encourage commuters to use means other than driving to work along during peak hour periods.

6. Building Codes and Enforcement

Building codes are not a constraint to residential development. New construction is required to meet Uniform Building Code regulations, but there is no ongoing systematic enforcement of building codes on existing dwellings. Existing units are inspected only when complaints are received by the City, or when an owner seeks a permit for additional construction. Certain types of additions require the applicant to bring the building (or part of it) up to current codes.

7. Fees and Other Exactions

The City (and others) assess a number of fees that affect the development and cost of housing in Pleasanton. Water, sewer, and permit fees are similar to those charged in other cities. A park dedication fee is charged to acquire park acreage consistent with the growth of the populations.

The City had been collecting school impact fees through 1987 on behalf of several school districts to provide for temporary and permanent facilities in high growth areas. The fees per dwelling unit range from \$1750 to \$2250 per dwelling unit.

Development fees are not a constraint to the construction of housing affordable to senior citizens or to lower income households. City ordinances permit waiver of fees for senior and lower income housing projects. Also, low income housing fees that are charged to new market-rate developments can be used to pay the fees that

otherwise would be charged to units affordable to lower income households.

8. On- and Off-Site Improvements

Pleasanton, like most cities in California, requires residential developers to provide a full complement of on- and off-site improvements, e. g., streets, curbs, gutters, sidewalks, street trees, drainage, water, sewer, power and communications utilities, and traffic mitigations. These requirements are comparable to provisions in neighboring cities. The City has created a housing fund to assist low and very low income projects to provide on- and off-site improvements.

9. Local Processing and Permit Procedures

Development review also affects housing costs. Primarily because interest on loans must continue to be paid, the longer it takes for a project to be approved, the higher the development costs. Typically, Pleasanton processes housing projects within 2-3 months of submittal.

c. Non-Governmental Constraints

Market constraints significantly affect the cost of housing and are important factors to take into account when discussing affordable housing. Escalating land prices and construction costs, and fluctuating (but still high) interest rates, are major contributors to the ever increasing cost of housing in the San Francisco Bay Area.

This plan adds approximately 400 acres within the urban limit line to provide additional housing opportunities. Pleasanton has sufficient vacant land (zoned at densities that are appropriate) to utilize any government housing subsidies which may become available during the time frame of this Plan.

The Planned Unit Development (PUD) zone can accommodate increases in density. Also, "density bonuses" are given in certain areas if non-market-rate housing is constructed. The City places no restrictions on mobile or factory-built homes other than those placed on conventional housing. In short, zoning controls are not a constraint to (and indeed, act to encourage) the development of affordable housing in Pleasanton.

Availability of Financing

Interest rates for home financing and rental development have a crucial effect on the affordability of housing in Pleasanton. Mortgage interest rates have varied extremely over the past 5 years, from a high near 18% in 1981 to a low in 1986 near 9%.

Were high interest rates to return, the City could mitigate some of the effects by issuing (or participating in County issues of) Tax-exempt Mortgage Revenue Bonds. These can be issued for multi-family developments that require a percentage of low income units, and for mortgage financing for first-time buyers of single-family homes.

CL/kh(kphsdev)
9/87

APPENDIX D: SUMMARY OF VACANT LAND AND CONSTRAINTS

SUMMARY OF VACANT RESIDENTIAL LAND AND CONSTRAINTS

<u>Owner</u>	<u>Assessors #</u>	<u>Acres (2)</u>	<u>General Plan</u>	<u>Capacity</u>	<u>Constraint*</u>
Presley	941-1700-5-4 941-1800-1-4	279	Low Density	100 sfdu	IIA, IVF/S
Moller	941-1800-2-3	134	Low Density Rural Density	100 sfdu	IIA, IVF/S
Garms	941-2000-1	60 10	Low Density Rural Density	50 sfdu	IIA, IVF/S
SFWD	946-3570-4-5 946-3630-1-13/16 946-3701-2	91 94	Low/Medium High Density	500 sfdu 1300 mfd	IIA
Stone- ridge	946-1151-9-2 946-1151-10-10 946-1144-14/16 946-3901-3-6	130	Medium Dens.	650 sfdu	IIA, VH
Kottinger Phase 2	946-2300-2-6	525	Rural Density	105 sfdu	IIA, IVS
Lund 2	946-2632-1	125 55	Rural Density Low Density	25 sfdu 110 sfdu	IIA, IVS
Foley	946-2205-2-2 946-2681-1-1	200	Rural Density	40 sfdu	IIA, IVS
Busch	946-1250-5-2	81 9	Medium Dens. High Density	405 sfdu 130 mfd	IIA
Spotorno	946-2632-2-1/2	25 25	Low Density Rural Density	25 sfdu 5 sfdu	IIA, IVS
Sycamore Sp Plan	946-2612-etc 946-2607-etc	125	Low Density	125 sfdu	IIA
Oak Tree	946-4440-8	40 51	Low Density Rural Density	40 sfdu 10 sfdu	IIA, IVF/S
Panganibn	941-2500-4	32 13	Low Density Rural Density	17 sfdu	IIA, IVS
Lester	941-2600-2-6 941-2500-3	44	Low Density	44 sfdu	IIA, IVS
City	94-158-2/5	14	High Density	280 mfd	IIA
Subtotal		2,045a 117a	Single Family Multiple Family	2,351 sfdu 1,710 mfd	
TOTAL		2,162a		4,061 du	

(1) Vacant parcels of 20 acres+ which were not built on 1/90

(2) Residential portion of site (excludes many small parcels)

(3) Assumes proposed project units or avg General Plan units

*See attached index of City facilities & service constraints

Index of City Facilities and Service Constraints

I. Sewer

- A. No City sewer facilities at or near site (within 200').
- B. Sewer facilities will be dependent upon adjacent property development. Currently no facilities.
- C. Sewer allocation currently unavailable for site.

II. Growth Management

- A. No growth management approval.

III. Water

- A. No City water facilities at or near site (within 200').
- B. Water facilities will be dependent upon adjacent property development.

IV. Geologic Hazards

- A. Any active earthquake faults or traces within one-quarter mile of site.
- B. Site may require remedial grading.

V. Flood Hazards

- A. Site in flood hazard zone as indicated on flood insurance rate map. Source: Federal Insurance Administration.

APPENDIX E: GROWTH MANAGEMENT PROGRAM, AS AMENDED TO 1990



Chapter 17.36 *

**GROWTH MANAGEMENT
PROGRAM**

Sections:

- 17.36.010 Purpose.
- 17.36.020 Objectives.
- 17.36.030 Allocation required.
- 17.36.040 Exemptions.
- 17.36.050 Development approval process.
- 17.36.060 Application.
- 17.36.070 Assignment.
- 17.36.080 Guidelines and procedures.
- 17.36.090 Effect of approval.
- 17.36.100 Previous approvals.

17.36.010 Purpose.

A. The city has undergone a variety of transformations in the past decade which have affected the growth patterns, housing supply and availability of municipal services. Prior to the mid-1960's, Pleasanton was a rural community with primary emphasis upon agricultural activities. During the period 1963 to 1971 the community experienced an unprecedented growth due to the transition of agricultural properties into housing subdivisions; the community was one of the fastest growing communities in the state during the 1960's. Subsequent to 1971, the rate of growth has diminished perceptively due to more stringent sewage discharge standards, air quality concerns, cease and desist orders affecting sewage connections, fluctuations in the economy, litigation and similar problems affecting development.

B. In response to past development

practices and as a result of the findings set forth in this section, this chapter sets forth a method for regulating residential development in the best interests of the property owner, the developer and the citizens of Pleasanton. This chapter will regulate the number of residential units available for development annually, it will establish a method for dispensing said units, and it will assist the city council, planning commission and city staff in implementing the goals and policies of the city's general plan. In addition, this chapter will provide direction to landowners and developers as to the city's intentions regarding residential development so that a more definitive assessment of the development potential of the property can be undertaken by the landowner and developer.

C. This chapter is an amendment to the former Chapter 13, residential allocation program, adopted on March 13, 1978. Significant changes in the growth management process have been made to simplify the procedures for receiving development approval and to reduce the adverse impacts of the former residential allocation program in the production of affordable housing while minimizing the effects of unrestrained residential growth.

D. This chapter does not apply to commercial/industrial developments. The growth which has occurred in the city in the past has been heavily in favor of residential development. In order to encourage commercial/industrial uses which will assist in employing residents of the city and help decrease dependency upon commuting to the Hayward-Oakland area for employment, the city

17.36.120 Objectives.

The protection of the public health, safety and general welfare requires the establishment of a growth management program to accomplish the following:

A. Provide for a mechanism to phase growth over the period of the city's general plan from the time of the effective date of the ordinance codified in this chapter to 1996;

B. Provide for the annual construction of residential units in accordance with the population benchmarks of the general plan;

C. Facilitate and implement the realization of general plan goals which cannot be accomplished by zoning alone, including the goals of the housing element;

D. Provide significant incentives to developers to include subsidized housing in their undertakings or provide financial assistance to accomplish this goal;

E. Encourage developers to provide affordable housing;

F. Insure that capital improvements identified in the general plan and required to adequately serve the area to be developed are provided in whole or in part. (Ord. 1336 § 1 (part), 1987)

17.36.130 Allocation required.

Except as otherwise provided in this chapter, no subdivision shall be accepted for filing which creates residentially developable lots nor shall any building permit be issued for any new residential unit, including a mobile home, unless the development has received growth management approval from the city council. (Ord. 1336 § 1 (part), 1987)

17.36.140 Exemptions.

A. The provisions of Section 17.36.130 of this chapter shall not be applicable to the following projects:

A. Construction of a single-family dwelling unit on a legally existing and appropriately zoned lot, including lots legally in existence prior to the effective date of the ordinance codified in this chapter and lots legally created pursuant to this chapter;

B. Projects and subdivisions of five dwelling units or less. Within any lot existing on July 1, 1987 this exemption may be used only one time;

C. Proposals for condominium conversion subdivisions. (Ord. 1336 § 1 (part), 1987)

17.36.150 Projects eligible to apply.

In order to be considered for growth management approval, a project must have received all prior governmental approvals, except for subdivision approval prior to the date set by the city council for receipt of applications. The following are examples, though not exclusive, of required prior approvals:

A. If the project requires planned unit development (PUD) approval, all necessary general plan changes, zoning and development plan approvals must have been received.

B. If the project involves regular zoning (R-1-6500, etc.) requiring only approval of tentative and final maps, the environmental assessment must be completed and the preliminary plan and all other required information must have been submitted and reviewed by the staff review board.

C. If the project only requires design review approval, it must have received the approval. (Ord. 1336 § 1 (part), 1987)

17.36.160 Application procedure.

A. Any developer of a project meeting the eligibility requirements shall request growth management approval prior to April 1st of any given year.

B. Any application for development approval shall be made on the forms established by the planning division of the department of community development, shall contain that information necessary to properly administer the growth management program and shall be filed with the director of planning and community development.

C. The application shall be accompanied by a fee established by the resolution establishing fees and charges for various municipal services.

D. The city manager shall collate the applications and information relevant to the council's decision into a growth management report as required by the land use element of the general plan and provide a copy of the report to each member of the council. (Ord. 1336 § 1 (part), 1987)

17.36.170 Approval process.

A. After receipt of the growth management report, the council may establish the number of units desired to be constructed for the next year. If it so chooses, the council may establish the number of units within certain categories (e.g. single-family or multiple units) in order to meet the general plan goals and policies. At its option, the council may delay final establishment of housing tar-

gets until after negotiations with applicants have proceeded further.

B. The city council may enter into negotiations and discussions with developers who have applied to ascertain how best to achieve the goals of this chapter and the general plan. Negotiations shall be done by a committee comprised of the mayor, an appointed councilmember, the city manager, and the city attorney.

C. During the month of June, the committee shall report its findings and recommendations to the city council.

D. In June, the city council will, after public hearing, make determinations allocating growth management approvals based upon information presented by the negotiating committee and other information relevant to the decision.

E. Allocations will be made by resolution, but in addition, the council may choose to enter into growth management agreements in accordance with Section 17.36.200. (Ord. 1336 § 1 (part), 1987)

17.36.180 Criteria for decision.

The city council shall base its decision allocating growth management approval on substantial evidence that the projects selected are in furtherance of the public interest and in furtherance of the city's general plan policies, particularly the following:

A. The maximum number of growth management approvals for any given year shall be for one thousand units. (Program 11.1 of the land use element.)

B. The council shall monitor growth management approvals such that the population within the 1987 Pleasanton

upon which may be necessary to promote the public health, safety and general welfare and conform the project to all general plan goals and policies.

B. Yearly Allocation for Smaller Projects. All nonexempt projects not covered by long-term agreements shall be required to secure development approval under the yearly allocation process described in this subsection and as may be further delineated in the guidelines established pursuant to Section 17.36.080.

1. Establishment of Yearly Housing Construction Goals. The city council, following a public hearing, shall establish annually the number of residential units desired to be constructed for the next year and, if it so chooses, the number of units within certain categories (e.g. single-family or multiple units) in order to meet the general plan goals and policies. The total number of units desired to be constructed shall be the annual housing target. In making this determination, the city council shall consider the following:

- a. The general plan growth rate;
- b. Number of residential units authorized by long-term agreements;
- c. The number of residential units previously authorized but not developed, including exempt units;
- d. The number of residential units authorized in previous years; and
- e. Comments received at the public hearing held in conjunction with the allocation.

2. Lower-income Housing Set-aside. The city council may set aside at least ten percent of the annual housing target for lower-income housing.

3. Yearly Allocation for Smaller

Projects. After establishing the annual housing target, the city council shall establish the yearly allocation for smaller projects. This allocation shall be the number of units remaining to be constructed after units allowed to be built for that year in long-term agreements and the lower-income set-aside have been deducted from the annual housing target.

4. Application Procedures. At the meeting at which the city council establishes the yearly allocation for smaller projects, it shall establish the date for commencement of receipt of applications for development approval of smaller projects. A developer may apply for approval at any time on or following the date set for receipt of such applications for that annual period in accordance with the guidelines established pursuant to Section 17.36.080.

5. Projects Eligible to Apply. In order to be considered for development approval, a project must have received all prior governmental approvals, except for subdivision approval, at least thirty days prior to the date set by the city council for receipt of applications. The following are examples, though not exclusive, of required prior approvals:

a. If the project requires planned unit development (PUD) or hillside planned unit development (HPD) approvals, all necessary general plan changes, zoning and development plan approvals must have been received.

b. If the project involves regular zoning (R-1-6500, etc.), requiring only approval of tentative and final maps, the environmental assessment must be completed and the preliminary plan and all other required information must have

been submitted and reviewed by the staff review board.

c. If the project only requires design review approval, it must have received all of said approvals.

Any project not covered by a long-term agreement and meeting the prior governmental approvals listed in this subsection is eligible to apply.

6. Number of Units Per Project. A developer may apply for any number of units not to exceed the maximum number per project for that year's allocation established by the city council at the time of establishing the yearly allocation for smaller projects.

7. Selection of Projects. Procedures for the selection of projects to receive development approval shall be set forth in the growth management procedures and guidelines established pursuant to Section 17.36.080.

8. Requirements for Projects Selected. Projects approved shall be required to meet any requirements designed to promote the public health, safety, and general welfare and to conform to the general plan goals and policies contained in the guidelines established pursuant to Section 17.36.080.

9. Lapse of Development Approval. Any development approval for projects granted under the yearly allocation for smaller projects shall lapse and be of no further force and effect eighteen months from the date small project approval is received unless either:

a. Construction has commenced on any building in the project; or

b. City council has approved a final map and subdivider has entered into a

subdivision agreement (including bonding for public improvements as appropriate) for the project.

In addition, failure to pay growth management fees at the times specified in the Growth Management Guidelines, codified in Appendix A of this title, or as later amended, may result in lapse of small project approval. Council may at its discretion extend the period in which to commence construction for any project.

10. Subsequent Modification. Once a project has received growth management approval pursuant to this section, subsequent modification of approved plans will be permitted without voiding that growth management approval under the following circumstances:

a. All other required approvals as set forth in subsection B5 of this section must be obtained for the modified plan.

b. Lapse of growth management approval for the original number of units will occur on the same date as for the original growth management approved plan in accordance with subsection B9 of this section.

c. If the number of units in the modified plan exceeds the number of units in the original approved plan, then a separate growth management approval must be obtained for the additional units. (Ord. 1115 § 1, 1984; prior code § 2-20.05)

17.36.060 Application.

Any application for development approval shall be made on the forms established by the planning division of the department of community development, shall contain that information necessary to properly administer the growth

management program and shall be filed with the director of planning and community development. The application shall be accompanied by a fee established by the resolution establishing fees and charges for various municipal services. (Prior code § 2-20.06)

17.36.070 Assignment.

All development approvals, when issued, shall run with the land and are not transferable except with the land, subject to the provisions of this chapter relating to lapsing of development approval. (Prior code § 2-20.07)

17.36.080 Guidelines and procedures.

The council shall establish by resolution the procedures and guidelines for implementing the provisions of this chapter. Said guidelines may be changed

from time to time as needed to meet the goals and objectives of the general plan and this chapter. (Prior code § 2-20.08)

17.36.090 Effect of approval.

The granting of development approval pursuant to the procedures and provisions of this chapter shall not exempt nor affect the developer's obligation to obtain all required zoning, environmental, subdivision and other approvals as are required by statute or ordinance as a prerequisite to the application for building permits. (Prior code § 2-20.09)

17.36.100 Previous approvals.

Residential allocation permits or exemptions granted by the city council to projects prior to March 25, 1982, shall continue in full force and effect, subject to the terms and conditions of their issuance. (Prior code § 2-20.12)

APPENDIX A

GROWTH MANAGEMENT
PROCEDURES AND GUIDELINES

Section 1. Exempt Projects

(a) Eligibility and Approval Procedures.

Exempt projects shall be those enumerated in Section 17.36.040 of the Pleasanton Municipal Code (Growth Management Program). All project approvals and permit regulations shall apply to exempt projects except the development approval procedures contained in Chapter 17.36. Exempt projects may develop at any time during the year with no limitation on total numbers of units nor project size, except as indicated below.

(i) **Projects Participating in Mortgage Revenue Bond Program** - Development shall be in accordance with the terms and conditions of the agreement entered into by the developer and the City. The Mortgage Revenue Bond Program is that program authorized by AB 1355.

(ii) **Projects Selected Through the Affordable Housing Competition** - The affordable housing competition shall be that program, or series of programs, authorized by the City Council by Resolution No. 81-287 to provide an incentive for developers to construct such housing. Once selected, the project(s) would be exempt from the Growth Management development approval process.

(iii) **Lower-Income Housing Developments**. Lower-income housing

projects are those sponsored by any person or organization having a minimum of twenty-five percent (25%) of its units reserved for households qualifying for federal lower-income housing assistance as defined by HUD for the Bay Area region. Units must be reserved for lower-income households for a period of at least fifteen (15) years. HUD regulations concerning the qualification of households as lower-income, the size of unit in relation to household size, and all other rules and regulations except for rent shall govern those units set aside for lower-income households. Rent for lower-income households shall be no more than an amount equal to thirty percent (30%) multiplied by the lower-income limit of the Bay Area median income for the maximum sized household capable of occupying the unit, as determined from time to time by HUD regulations. For instance, using present HUD regulations, rent for a two bedroom unit could be set up to, but not exceeding, 30% of 80% of the Bay Area median income for a household of four. Units designated for lower-income households shall be of comparable size and quality as other units in the project.

Projects meeting the above criteria are eligible to request exemption from the Growth Management development approval process and to use the units set aside for such projects. The City Council may approve lower-income projects up to the number of units in the set-aside and may include anticipated future allocations. A project containing both lower-income

GROWTH MANAGEMENT GUIDELINES

units and market rate units shall be approved in its entirety. Only lower-income units shall count toward the lower-income set-aside. The ten percent allocation shall carry over from year to year.

(iv) Fifty (50) Unit Exemption. Projects which meet the following criteria shall be exempt projects within the meaning of PMC Section 17.36.040A9:

- A. There are fifty (50) or less units in the project;
- B. Maximum of one exemption per calendar year for entire City;
- C. The City Council finds that conditions of approval of the project adequately address the public needs and cumulative effects created by the project. In making this determination, the City Council shall consider cumulative effects of the proposed project taken together with past and anticipated future projects, including particularly anticipated projects in the vicinity by the same developer;
- D. The project developers shall purchase a commitment for 25% of its units from the current mortgage revenue bond program sponsored by the City.

(b) Other Requirements of Exempt Projects. In order to develop, exempt projects are required to meet the following requirements:

- (i) \$525 per dwelling unit fee to the Capital Improvement Fund.
 - (ii) \$400 per dwelling unit fee to the Lower-Income Housing Fund.
- Dwelling units actually designated as

lower-income units pursuant to subsection (a)(iii) shall not be subject to the above fees, but the remaining (market rate) units in lower-income exempt projects shall remain subject to the specified fees.

Section 2. Long-Term Agreements.

(a) Eligibility - Eligible projects shall be those meeting the criteria contained in Section 17.36.050 of the Pleasanton Municipal Code. Governmental approvals necessary would normally be those listed in Section 17.36.050B2. However, certain large projects, especially PUD's, may apply without finally delineating all aspects of the project. For example, a first phase covering one or more years may be shown with subsequent phases only tentatively indicated as to street patterns, densities, uses, etc. The City Council, in its discretion, may choose to enter an agreement based on such a plan if it feels sufficient information exists for it to enter such an agreement. A developer shall have to submit sufficient information, or shall have to have received sufficient prior governmental approvals, for the City Council to make the determinations necessary for reaching agreement on a long-term development approval.

(b) Application Procedure - Application shall be submitted on a form devised by and containing information required by the Director of Planning and Community Development. Applications may be submitted at any time. Additional information may be required by the City Council during negotiations.

Initially, however, the City Council may use the following procedure. The

City Council may attempt to determine the interest in long-term agreements among those eligible in relation to potential smaller project applications and allowable growth rates prior to entering into an agreement with any developer. In order to accomplish this, the City Council may:

1. collect information concerning the number of interested developers wishing long-term agreements;
2. determine approximate numbers of units desired for each year by all developers seeking long-term agreements;
3. determine approximate allowable yearly growth acceptable per General Plan policies; and
4. estimate interest by smaller projects in the yearly allocation for smaller projects.

Having collected this information, the City Council may enter into negotiations with developers who have applied or who may apply in the future. Negotiations shall be done by a committee comprised of the Mayor, an appointed Councilmember, the City Manager, and the City Attorney.

Negotiations will begin in the order projects apply and shall be undertaken in any manner the City Council chooses. However, the time agreements become effective depends solely on the time necessary to reach agreement and is not tied to the order in which applicants applied.

Initially, however, prior to negotiating with any project applicant, the City Council shall negotiate with and, if mutual agreement can be reached within a reasonable time, enter into agreements

covering those eligible projects which (a) lie within the DSRSD service area and have purchased sewage treatment capacity or (b) lie within the Sunol service area and are covered by annexation agreements guaranteeing sewage treatment capacity in some manner. The intent of this priority position in negotiations is to afford the applicants of such projects the ability to reach agreement with the City prior to agreements with other project applicants. The City Council shall determine the time it will entertain negotiations with other project applicants based on affording applicants with projects in the priority classes a reasonable time for reaching agreement with the City. All agreements covering priority class projects need not be completed prior to the Council's determination to enter negotiations with all project applicants.

(c) Contents of Agreements -

(i) **Area Covered** - Ordinarily, long-term agreements shall cover the entire parcel or parcels of land which ultimately shall comprise the "project." In the event only a portion of the parcel or parcels of land are desired to be covered, the agreement will ordinarily provide that no development shall occur on the portion not made a part of the agreement until the completion of the project covered by the agreement.

(ii) **Subject Matter** - The number of units allowed per year is mandatory. Beyond this, however, the agreement may include any other provision which may be necessary to promote the public health, safety and welfare and to conform the project to all General Plan goals and policies. It is anticipated that the following items may be

GROWTH MANAGEMENT GUIDELINES

included in the terms of the agreement:

- location of units approved by year or other phase
- timing of the project's on-site and off-site improvements
- treatment to be accorded if approved units in any given year are not built

(d) **Other Requirements** - Every project receiving development approval by entering long-term agreements shall meet the following requirements:

- (i) \$525 per dwelling unit fee to the Capital Improvement Fund.
- (ii) \$400 per dwelling unit fee to the Lower-Income Housing Fund.

Section 3. Yearly Allocation for Smaller Projects Process.

(a) **Setting the Yearly Allocation for Smaller Projects** - The City Council shall meet once a year in September to establish the number of units which will be made available to projects not covered by long-term agreements or otherwise exempt. The number available shall be set as follows:

(1) determine the allowable yearly growth, in units, based on the factors listed in Section 17.36.050B, which shall be the annual housing target.

(2) deduct from the total number of units (i) the lower-income housing set-aside as determined by the City Council pursuant to Section 17.36.050B2 and (ii) all units approved for development in long-term agreements for that year; the remainder shall be the yearly allocation for small projects.

For the 1982 building year, the yearly allocation for smaller projects shall be

made as soon as feasible following adoption of the revised Growth Management Plan and this implementing resolution.

Initially, no units will have been approved in long-term agreements. The City Council shall estimate the number of units it assumes it will make available for long-term agreements in the first year. In subsequent years the City Council may withhold some units for long-term development agreements not yet executed but for which the City Council determines will be used during that year by new projects choosing to enter long-term agreements.

In setting the annual housing target, the City Council may set either a total number of units available or a total made up of subtotals for various categories of projects, such as single-family projects or multiple projects. If the latter method is chosen, the City Council shall define the categories at the time of setting the annual housing target.

(b) **Maximum Project Size** - At the time of setting the yearly allocation for smaller projects, the City Council shall set the maximum number of units for which any project may receive development approval. For purposes of this section, the project shall refer to the project in its entirety as approved and/or reviewed by the governmental reviewing body acting upon a project submitted. In other words, a PUD approved as an 80-unit project may not apply as two 40-unit projects if the maximum project size is, say, 50 units. The 80-unit project must apply as an 80-unit project, designating the 50 units or fewer for which it wishes development approval for that annual period. When a portion of a project has

received development approval through either prior RAP approvals or exemptions or this growth management process, the remaining portion of the project is the "project" for the purposes of this section.

(c) Application Procedure - At the time of setting the yearly allocation for smaller projects, the City Council shall establish a one week period during which applications for development approval will be accepted initially. The one week period set shall be in the discretion of the City Council but should be set within one month of the setting of the yearly allocation for smaller projects. Applications fully completed and accompanied by the fee set by resolution will be accepted by the Planning Division during that one week period. If the total number of units applied for during the one week period does not exceed the yearly allocation for smaller projects, applications will continue to be accepted throughout the year by the planning division. If the total number of units applied for exceeds the yearly allocation, no further applications will be accepted until the succeeding year's application period.

(d) Selection Procedure. The manner of granting development approval to smaller projects shall depend upon the relationship of the total units applied for and the yearly allocation during the one week initial application period. The procedures to be followed are set forth below:

(i) Total Units Applied For Does Not Exceed The Yearly Allocation For Smaller Projects - In the event the total units contained in all the projects making application during the one

week initial application period does not exceed the total yearly allocation for smaller projects, all the projects which have applied shall be granted development approval and subsequent projects making application shall be approved on a first come, first served basis until the total yearly allocation for smaller projects has been exhausted.

(ii) Total Units Applied For Exceed The Yearly Allocation For Smaller Projects - In the event the total units contained in all the projects making application during the one week initial application period exceed the total yearly allocation for smaller projects, the City Council shall decide at the soonest regularly scheduled meeting for which proper notice can be given the manner in which development approval shall be given. The City Council, in its discretion, shall select projects by lot, by apportioning approval on a pro rata basis, or by any other manner deemed appropriate by the City Council. The City Council shall give project applicants the opportunity to be heard concerning the manner development approval shall be given prior to making its decision and granting development approval.

(iii) Proceedured If The Yearly Allocation Is Made by Categories - If the City Council has allocated units by categories (eg. single-family or multiple), projects within each category shall be treated separately, with the allocation set for each category being the "yearly allocation" described above.

(iv) Other Procedures - In the event

GROWTH MANAGEMENT GUIDELINES

approval of a project as applied (using any of the methods possible for selecting projects) would exceed, in combination with prior projects approved, the total yearly allocation for smaller projects (or category allocations), the entire project as submitted shall be approved.

Projects not selected must reapply for subsequent yearly allocations for smaller projects. No priority list will carry over to a subsequent allocation period, whether a project has received development approval for a portion of its units or whether a project applied but received no approval.

(e) Other Requirements of Projects Selected - Every project receiving development approval as part of the smaller project allocation process shall meet the following requirements:

- (i) \$525 per dwelling unit fee to the Capital Improvement Fund.

- (ii) \$400 per dwelling unit fee to the Lower-Income Housing Fund.

- (iii) The above growth management fees shall be payable thirty (30) days from the date of approval of the tentative map by the decision-making body. In the event no tentative map application is presented within ninety (90) days from the date of small project approval, said fees shall be payable within ninety (90) days from the date of small project approval. Failure to pay fees within the specified time will result in small project approval becoming null and void. Payment of growth management fees shall not prevent lapse of growth management approval in accordance with the ordinance and lapse of growth management approval shall not entitle developer to a refund of growth management fees.

GROWTH MANAGEMENT PROGRAM

Res. No. 89-325 (7/89)

CITY COUNCIL
OF THE CITY OF PLEASANTON
ALAMEDA COUNTY
CALIFORNIAORDINANCE NO. 1336
AN ORDINANCE MODIFYING
THE CITY'S GROWTH MANAGE-
MENT ORDINANCE

WHEREAS, on August 4, 1987

the City Council initiated substan-
tial modifications to the growth
management program after hold-
ing a public hearing and consider-
ing staff reports relating to thesubject matter and ordinance has
been prepared in accordance with
Council's directive at that
proceeding.THE CITY COUNCIL OF THE CITY
OF PLEASANTON DOES HEREBY
ORDAIN AS FOLLOWS:Section 1: The former Chapter
17.36 (Growth Management Pro-
gram) as set forth in P.M.C. Sec-
tions 17.36.010 through
17.36.100 is hereby repealed
and replaced in its entirety by
P.M.C. sections 17.36.110
through 17.36.240 as set forth in
Exhibit "A" attached hereto.Section 2: Resolution No. 82-
66 as amended, implementing
the growth management ordi-
nance is hereby repealed.

Section 3: Transitional Rules

A. Long-term agreements,
exemption agreements and small-
er project approvals granted prior
to August 4, 1987, shall continue
in full force and effect subject to
the terms and conditions in effect
at the time of their approval.B. Projects which have been
granted exemption status for low
income set aside units subject to
negotiating growth management
approval with the Council and
which have not yet entered an
exemption agreement with the
City shall remain eligible to apply
for growth management approval
in this and future years in ac-
cordance with the terms and require-
ments provided the original ex-
emption approval shall remain in
force.C. Projects eligible for the
twenty unit exemption set forth in
Section 17.36.040(A)(2) on the
same date as the effective date of
this ordinance or before shall re-
main eligible for that exemption
until December 31, 1987.D. The twenty-two unit exemption
available for small project approv-
al may be claimed and used in
accordance with the rules preced-
ing this amendment to Chapter
17.36.Section 4: This ordinance shall
be published once within fifteen
(15) days after its adoption in
"The Valley Times," a newspaper
of general circulation published in
the City of Pleasanton.Section 5: This ordinance shall
be effective thirty (30) days after
the date of its final passage and
adoption.INTRODUCED at a regular
meeting of the City of Pleasanton
on August 18, 1987.ADOPTED at a regular meeting
of the City Council of the City of
Pleasanton on September 1,
1987 by the following vote:AYES: Councilmembers — Bran-
des, Monr, Wilson and Mayor
Mercer.

NOES: Councilmember Butler.

ABSENT: None.

ATTEST:

KENNETH R. MERCER, MAYOR

James R. Walker, City Clerk

By: Doris George, Deputy City Clerk

APPROVED AS TO FORM:

Peter D. MacDonald, City Attorney

Chapter 17.36

GROWTH MANAGEMENT

PROGRAM

Sections:

17.36.110 Purpose

17.36.120 Objectives

17.36.130 Allocation Required

17.36.140 Exemptions

17.36.150 Projects Eligible to

Apply

17.36.160 Application Procedure
17.36.170 Approval Process
17.36.180 Criteria for Decision
17.36.190 Multiyear Approvals
17.36.200 Growth Management
Agreements
17.36.210 Fees and Easements
17.36.220 Effect of Approval
17.36.230 Lapse of Approval
17.36.240 Subsequent

Modification

17.36.110 Purpose

A. The city has undergone a

variety of transformations in the

past two decades which have af-
fected the growth patterns, hous-
ing supply and availability of mu-
nicipal services. Prior to the mid-

1960's Pleasanton was a rural

community with primary empha-
sis upon agricultural activities.

During the period 1963 to 1971

the community experienced an

unprecedented growth due to the

transition of agricultural prop-
erties into housing subdivisions. The

community was one of the fastest

growing communities in the state

during the 1960's. Subsequent to

1971 the rate of growth dimen-
ished perceptively due to morestringent sewage discharge stan-
dards and quality concerns, obse-
dant orders affecting sewage

connections, fluctuations in the

economy, litigation and simi-
lar problems affecting develop-
ment. During the period since

1982 through the present, the

city has experienced rapid resi-
dential growth in response to

growth of the bay area economy

and favorable interest rates. The

current continuing high level in

applications for housing approvals

would completely outstrip the

city's ability to maintain current

levels of public service unless

moderated.

B. A more stable growth rate at

the average rate of approximately

4% per year for the 1986 through

1996 period will permit our com-
munity to evaluate the effects of

recent growth upon the quality of

life while developing the new

roads, life stations, sewer capac-
ity, water system, parks andschools necessary to provide ex-
isting and future residents with at

least the same level of service or

if practicable improved levels of

service. This chapter establishes

the means by which this city can

continue to provide its fair share

of regional housing needs and

provide housing for all economic

segments of the community con-
sistent with our General Plan pol-
icies, state housing law and our

existing quality of life.

C. Significant changes in the

growth management process

have been made to simplify the

procedures for renewing and

granting growth management ap-
proval and to reduce the adverse

impacts of the former growth

management program in the pro-
duction of affordable housing

while minimizing the effects of

unrestrained residential growth.

17.36.120 Objectives

The protection of the public

health, safety and general welfare

requires the establishment of a

growth management program to

accomplish the following:

A. Provide for a mechanism to

phase growth over the period of

the city's general plan from the

present to 1996.

B. Provide for the annual con-
struction of residential units in ac-
cordance with the population

benchmarks of the general plan.

C. Facilitate and implement the

realization of general plan goals

which cannot be accomplished by

zoning alone, including particu-
larly the goals of the housing

element.

D. Provide significant incen-
tives to developers to include sub-
sidized housing in their undertak-
ings or provide financial

assistance to accomplish this

goal.

E. Encourage developers to

provide affordable housing.

F. Insure that capital improve-
ments identified in the general

plan and required to adequately

serve the area to be developed are
provided in whole or in part.

17.36.130 Allocation Required

Except as otherwise provided in

this chapter no subdivision shall

be accepted for filing which cre-
ates residentially developable lots

nor shall any building permit be

issued for any new residential

unit, including a mobile home,

unless the development has re-
ceived growth management ap-
proval from the city council.

17.36.140 Exemptions

The provisions of Section

17.36.130 of this chapter shall

not be applicable to the following

projects:

A. Construction of a single

dwelling unit on a legally existing

and appropriately zoned lot, in-
cluding lots legally in existence

prior to the effective date of the

ordinance codified in this chapter

and lots legally created pursuant

to this chapter.

B. Projects and subdivisions of

five dwelling units or less. Within

any lot existing on July 1, 1987,

this exemption may be used only

one time.

C. Proposals for condominium

conversion subdivisions.

17.36.150 Projects Eligible to

Apply

In order to be considered for

growth management approval, a

project must have received an or-
der governmental approval, ex-
cept for subdivision approval prior

to the date set by the city council

for receipt of applications. The fol-
lowing are examples, though not

exclusive, of required prior

approvals:

A. If the project requires

planned unit development (PUD)

approval all necessary general

plan changes, zoning and devel-
opment plan approvals must have

been received.

B. If the project involves regular

zoning (R-1, 6500, etc.), requir-
ing only approval of tentative andfinal maps, the environmental as-
sessment must be completed and

the preliminary plan and all other

required information must have

been submitted and renewed by

the staff review board.

C. If the project only requires

design review approval, it must

have received said approval.

17.36.160 Application

Procedure

A. Any developer of a project

meeting the eligibility require-
ments shall request growth man-
agement approval prior to April 1

of any given year.

B. Any application for develop-
ment approval shall be made onthe forms established by the plan-
ning division of the department of

community development, shall

contain that information neces-
sary to properly administer the

growth management program and

shall be filed with the director of

planning and community

development.

C. The application shall be ac-
companied by a fee established by

the resolution establishing fees and

charges for various municipal

services.

D. The city manager shall col-
late the applications and informa-
tion relevant to council's decisioninto a Growth Management Re-
port as required by the Land Use

Element of the General Plan and

provide a copy of the Report to

each member of the Council.

17.36.170 Approval Process

A. After receipt of the Growth

Management Report the council

may establish the number of units

desired to be constructed for the

next year. If it so chooses, council

may establish the number of units

within certain categories (e.g. sin-
gle family or multiple units) in or-
der to meet the general plan goals

and policies. At its option council

may delay final establishment of

housing targets until after negotia-
tions with applicants have pro-
ceeded further.

B. City council may enter into

negotiations and discussions with

developers who have applied to

ascertain how best to achieve the

goals of this ordinance and the
general plan. Negotiations shall
be done by a committee com-
prised of the Mayor, an appointed
Councilmember, the City Manag-
er, and the City Attorney.C. During the month of June,
the committee shall report its
findings and recommendations to
the city council.D. In June, the city council will,
after public hearing, make deter-
minations allocating growth man-
agement approvals based uponinformation presented by the re-
negotiating committee and other in-
formation relevant to the decision.E. Allocations will be made by
resolution but in addition council
may choose to enter into growth
management agreements in ac-
cordance with Section

17.36.200.

17.36.180 Criteria for Decision

The City Council shall base its
decision allocating growth man-
agement approval on substantial
evidence that the projects select-
ed are in furtherance of the publicinterest and in furtherance of the
city's General Plan policies, par-
ticularly the following:A. The maximum number of
growth management approvals
for any given year shall be for onethousand (1,000) units (Program
11.1 of the Land Use Element).B. The Council shall monitor
growth management approvals
such that the population within
the 1987 Pleasanton city limitsdoes not exceed 62,000 by Janu-
ary 1, 1996, assuming a vacancy
rate of 4% as of that date (Pro-
gram 11.4 of the Land Use

Element).

C. Regulate the number of
housing units approved each year
to adequately plan for infrastruc-
ture and assure City residents of apredictable growth rate (Program
11 of the Land Use Element).D. The goals, policies and pro-
grams set forth in the General
Plan Housing Element, including

particularly the following:

1. Ensure that at least 25%
of the total housing stock at full
development shall be multiple
family, both owner and renter oc-
cupied (Policy 1 of Housing

Element).

2. Encourage 15% of the
housing stock at full buildout to
be affordable to the needs of low-
er income households (Policy 7

of Housing Element).

3. Encourage a minimum of
20% of all new housing units to
be affordable to moderate income
households (Policy 8 of Housing

Element).

17.36.190 Multiyear Approvals

A. In order to meet the needs of
larger scale phased projects and
the goals of the city, the citycouncil may, at its option, grant
multiyear approvals.B. Multiyear approvals shall be
granted by resolution of the coun-
cil. If deemed necessary to assurereceipt of consideration provided
between the parties in the future,council may enter into contractual
arrangements for multiyear ap-
provals (i.e. growth managementagreements) in conjunction with
granting multiyear approvals.

17.36.200 Growth Management

Agreements

The city council, at its option,
may enter into contractual com-
mitments when deemed appropri-
ate to achieve the purposes of thischapter and the general plan. Sit-
uations in which the city may en-
ter into a growth managementagreement include, but are not
limited to the following:A. Contracts to assure that desig-
nated units remain reserved for
low income households for the
number of years promised by the

applicant.

B. Contracts with the develop-
ers of long term large scale pro-
jects who are being required tomake large infrastructure and
land investments in the early
phases of their projects.C. Contracts to assure that the
city can enforce obligations to in-

(1336)

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(9/89)

still specified public improvements which are not scheduled to be installed after building permits are issued.

17.36.210 Fees and Exactions.

A. Dwelling units with growth management approval and exempt units shall pay normal city development fees in effect at the time building permits are issued or at the time otherwise provided by city ordinances and resolutions, including the per unit fees established by resolution for the Capital Improvement Fund fee and the Lower Income Housing Fund fee.

B. Dwelling units receiving growth management approval shall pay a growth management fee to be determined on an annual basis and payable in conjunction with issuance of a building permit. Any lot which was created pursuant to growth management approval shall pay the growth management fee whenever a building permit is issued on that lot (See Section C, Lapse of Development Approval). Growth management fees shall be included in a special fund and applied to public projects made necessary by the cumulative effects of ongoing residential development.

C. In conjunction with the annual allocation of growth management approvals, council may negotiate and approve an increase or decrease in the growth management fees or permit a developer to provide finished public works in lieu of paying growth management or other city fees in order to achieve the purposes of this ordinance and the general plan. The modified fee or exaction may be implemented by resolution of council or by contract with the developer, depending upon the circumstances. The resolution modifying fees shall state the public purposes to be achieved by the modification (e.g. fees may be reduced for a project setting aside fifteen percent of its units for low income families for fifteen years; fees may be increased for a project creating special public needs; a project may compete for limited growth management approvals by providing a needed public improvement which benefits the city and also benefits the project).

17.36.220 Effect of Approval.

A. The granting of growth man-

agement approval pursuant to this chapter shall not exempt nor affect the developer's obligation to obtain all required zoning, environmental, subdivision and other approvals as are required by statute or ordinance as a prerequisite to the application for building permits.

B. The developer may apply for and be granted necessary subdivision approvals in advance of the year for which growth management approval has been given. (e.g. A project with a multiyear approval could apply for a single tentative map for all of its growth management approved units.)

C. Building permits may be obtained six months prior to January 1 of the calendar year for which growth management approval is given or any time thereafter until December 31 of the calendar year following the calendar year for which council granted growth management approval. Thus, where the council grants a growth management approval for the calendar year 1989, building permits for the authorized units may be obtained between July 1, 1988 and December 31, 1990 (i.e. thirty months).

D. No certificate of occupancy shall be issued and no final building inspection shall occur until after January 1 of the calendar year for which growth management approval has been granted. A certificate of occupancy may be issued and final building inspection may occur at any time thereafter so long as the building permit remains valid in accordance with Uniform Building Code Standards.

E. All growth management approvals, when issued, shall run with the land and are not transferable except with the land, subject to the provisions of this chapter relating of lapsing of development approval.

17.36.230 Lapse of Approval.

A. Growth management approval shall lapse and become null and void as to any approved unit for which no building permit has been obtained prior to December 31 of the calendar year following the calendar year for which the growth management approval was granted.

B. If a building permit expires after its growth management ap-

proval has expired, then the building permit cannot be renewed without a new growth management approval. Once a building permit is issued, its time of expiration shall be controlled by Uniform Building Code Standards.

C. The owner of a lot created by a final map recorded prior to the expiration of growth management approval shall be entitled to issuance of a building permit pursuant to the single dwelling unit exemption set forth in Section 17.36.140(A).

D. In the case of a multiyear approval, the expiration of growth management approval of a unit or units for a specific year or phase shall not affect the validity of a growth management approval for a subsequent year or other location within the project.

E. The conditions of approval for any tentative map or vesting tentative map shall identify the date or dates upon which growth management approval lapses and the conditions of approval shall provide that upon lapse of the growth management approval prior to filing of the final map that the tentative map approval shall be suspended until such time as the new growth management approval has been obtained.

17.36.240 Subsequent Modification.

Once a project has received growth management approval pursuant to this section, subsequent modification of approved plans will be permitted without voiding that growth management approval under the following circumstances:

A. All other required approvals of the city must be obtained for the modified plan.

B. Lapse of growth management approval for the original number of units will occur on the same date as for the original growth management approved plan.

C. If the number of units in the modified plan exceeds the number of units in the original approved plan, then a separate growth management approval must be obtained for the additional units.

Legal PT-VT 9585

Publish September 15, 1987

CITY COUNCIL OF THE
CITY OF PLEASANTON
ALAMEDA COUNTY,
CALIFORNIA
ORDINANCE NO. 1378
AMENDMENT TO CHAPTER
17.36 OF THE PLEASANTON
MUNICIPAL CODE -
GROWTH MANAGEMENT
ORDINANCE
THE CITY COUNCIL OF THE
CITY OF PLEASANTON
DOES HEREBY ORDAIN AS
FOLLOWS:

Section 1: Chapter 17.36, Growth Management Program, is amended by adding a new subsection F to Section 17.36.170 to read as follows:

"Section 17.36.170

F. Notwithstanding any other provision of this chapter, the Council may set aside growth management unit approvals for the property involved in *Campbell v. Lauligan, et al.*, Alameda County Superior Court Action No. 608335-5, which shall run with the land. Upon approving a zoning designation for the lands designated in this subsection, Council may then allocate the growth management approvals which have been set aside to the approved project."

Section 2: Section 17.36.180 (A) of the Pleasanton Municipal Code is amended to read as follows:

"A. The maximum number of growth management approvals for any given year shall be for six hundred fifty (650) units. In addition, up to one hundred (100) residential units may be approved for lower income housing projects, provided the project or projects meet the criteria for eligibility described in Section 17.36.185.

Section 3: The Pleasanton Municipal Code is further amended to add a new Section 17.36.185 to read as follows:

"17.36.185 Lower Income Housing Project

A lower income housing project for purposes of Section 17.36.180(A) shall be a project having a minimum of twenty-five percent (25%) of the total units reserved for households qualifying for low

income housing assistance as defined for the Primary Metropolitan Statistical Area, including Alameda County, by the Department of Housing and Urban Development. Units must be reserved for lower income households for a period of fifteen (15) years.

HUD regulations for the qualification of households as lower-income, the size of unit in relation to household size, and all other rules and regulations except for rent shall govern those units set aside for lower income households. Affordable rents for units designated for lower income households shall be charged.

For purposes of this chapter and with respect to any one bedroom unit, affordable

rent means a monthly rent which does not exceed thirty percent (30%) of one-twelfth (1/12th) of the maximum household income at which a household of two people qualify as a low income household as stated in this subsection. For purposes of this chapter and with respect to any two bedroom unit, affordable rent means a monthly rent which does not exceed thirty percent (30%) of one-twelfth (1/12th) of the maximum household income at which a household of four persons would qualify as a low income household within the meaning of this subsection.

Units designated for lower income households shall be of comparable size and quality as other units in the project.

Developer will be required to provide an Annual Compliance Statement and enter into a growth management agreement which shall be recorded with the County Recorder and run with the land.

Projects meeting the above stated criteria are eligible to request exemption from the growth management development approval process and to use the units set aside for such projects. The City Council may approve lower income housing projects up to the number of units in the set aside. A project which includes both lower income units and market rate units shall be approved in its entirety.

Eligible projects shall be those meeting the criteria

contained in P.M.C. Section 17.36.150. The City Council, in its discretion, may choose to review a lower income project application based upon existing approved plans or other governmental approvals if it feels sufficient information exists for it to review the applicant's eligibility.

Application for lower income housing projects shall be submitted on a form as required by the Director of Planning and Community Development. Additional information may also be required by either the City Council or other City departments. Applications may be submitted at any time. Eligibility will be reviewed after the City Council's annual growth management allocation and during the subsequent calendar year. The City Council shall notice a public hearing for any project seeking a low income housing project growth management approval and appropriate notice shall be sent to adjacent property owners and/or residents."

Section 4: This ordinance shall be published once within fifteen (15) days after its adoption in "The Valley Times," a newspaper of general circulation published in the City of Pleasanton.

Section 5: This ordinance shall be effective thirty (30) days after the date of its final passage and adoption.

INTRODUCED at a regular meeting of the City Council of the City of Pleasanton on July 19, 1988.

ADOPTED at a regular meeting of the City Council of the City of Pleasanton on August 2, 1988 by the following vote:

AYES: Councilmembers - Brandes, Butler, Mohr, Wilson, and Mayor Mercer

NOES: None

ABSENT: None

ABSTAIN: None

KENNETH R. MERCER,
MAYOR

ATTEST:

James R. Walker,

City Clerk

By Dons George,

Deputy City Clerk

APPROVED AS TO FORM

Dennis Beoughner,

Acting City Attorney

Legal PT-VT 1475

Publish August 25, 1988

CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 89-325

RESOLUTION SELECTING GROWTH MANAGEMENT
PROJECTS FOR 1990

WHEREAS, on July 18, 1989, the City Council considered the report of its Growth Management Committee; and

WHEREAS, based upon the information presented in the report and in City Council's review of the proposed schedule of allocations, the City Council finds the projects and schedule of development are in furtherance of the public interest and in furtherance of the City's General Plan policies;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON RESOLVES AS FOLLOWS:

Section 1: The City hereby selects Option 1 of the Growth Management Committee recommendation, which grants growth management approval to the following smaller projects:

<u>Project</u>	<u>1990</u>	<u>1991</u>
Z-87-564, Mavridis	19	-
PUD-88-15, Mavridis	10	-
PUD-88-11, Altieri, et al.	12	9
PUD-82-16-2M, Foxbrough Estates HSC/Beratlis	7	-
Z-87-93, Kottlinger Square MCC Partnership	10	-
PUD-89-2, Richard/Pries	12	-
PUD-87-19, Yee	22	-
PUD-88-13, Bridgman/Hunton	<u>28</u>	<u>-</u>
Total	120	9

Section 2: The City hereby grants growth management approval to the following larger projects for development in accordance with the following schedule:

<u>Project</u>	<u>1990</u>	<u>1991</u>	<u>1992</u>	<u>1993</u>
Far West	40	84	-	-
Laguna Oaks	<u>40</u>	<u>100</u>	<u>80</u>	<u>31</u>
Total	80	184	80	31

Section 3: Special Conditions of Growth Management Approval

In addition to development fees in effect at the time each building permit is issued, developers shall pay growth management fees of \$750 per unit to offset the cumulative cost of capital facilities made necessary by ongoing residential development.

Section 4: Effect of Approval

- a. The effect of these growth management approvals shall be to authorize development, building and occupancy of the approved units and provide for the lapsing approvals in accordance with Chapter 17.36 of the Pleasanton Municipal Code and the other terms and conditions set forth in this resolution.
- b. This resolution does not guarantee the availability of sufficient sewage treatment capacity to serve the projects which have received growth management approval. Building permits may be withheld if sewage treatment capacity is determined by the City, the Dublin-San Ramon Services District or The Regional Water Quality Control Board not to be available at the time a developer applies for a building permit. In the event sewage treatment capacity is not available to enable a developer to meet the development schedule approved by the resolution, the City may enact amendments to this resolution which will, as so far as is feasible, carry out the intent of this resolution given the availability of sewage treatment capacity.

Section 5: Nothing herein shall lessen any obligation of a developer required as a condition of any other approvals granted by the City.

Section 6: This resolution shall become effective immediately upon its passage and adoption.

Resolution No. 89-325
Page Three

THIS RESOLUTION ADOPTED JULY 18, 1989 BY THE FOLLOWING VOTE:

AYES: Councilmembers - Butler, Mohr, and Mayor Mercer
NOES: Councilmembers - Brandes and Tarver
ABSENT: None
ABSTAIN: None

ATTEST:

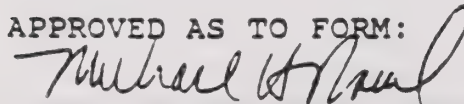


KENNETH R. MERCER, MAYOR



James R. Walker, City Clerk
By Peggy L. Ezidro, Deputy City Clerk

APPROVED AS TO FORM:



Michael H. Roush, City Attorney

SUPPLEMENT TO THE HOUSING ELEMENT
APPENDIX F
HCD COMMENTS AND RESPONSES
June 20, 1990

The attached letter (Exhibit 1) was received from the California Department of Housing and Community Development (HCD) on June 11, 1990. The City of Pleasanton's responses address each point raised by HCD staff according to the number listed in the letter's appendix. With the addition of the information contained in the accompanying responses, the Housing Element should be in compliance with Article 10.6 of the California Government Code.

RESPONSES TO HCD (see Appendix of Letter dated June 8, 1990)

A. Housing Needs, Resources, and Constraints

1. Vacant Land Inventory

All of the land designated on the General Plan for residential use (8,163 acres) is currently within the City's Sphere-of-Influence. Of the residential land which will generate 29,000 housing units at buildout within the Planning Area, about 1,300 acres representing 2,700 units currently lies outside the City limits. Virtually all of the parcels designated for residential use currently lie immediately adjacent to the City limits and are proposed for annexation within the next 1 to 5 years, as indicated below.

<u>Parcel</u>	<u>Acres</u>	<u>Use *</u>	<u>Unit Yield +</u>
San Francisco	94	HDR	1,300 MFDUs
	91	LDR, MDR	500 SFDUs
Busch	81	MDR	405 SFDUs
	9	HDR	130 MFDUs
Kottinger 2	525	RDR	105 SFDUs
Lund 2	125	RDR	25 SFDUs
	55	LDR	110 SFDUS
Foley	200	RDR	40 SFDUS
Sycamore	125	LDR	125 SFDUS
TOTAL	1,305		1,430 MFDUs 1,310 SFDUs

-
- * RDR = Rural Density Residential (1 unit per 5 acres)
 LDR = Low Density Residential (0 - 2 units per acre)
 MDR = Medium Density Residential (2 - 8 units per acre)
 HDR = High Density Residential (8+ units per acre)
 + SFDU = Single Family Dwelling Unit
 MFDU = Multiple Family Dwelling Unit

Table IV-6 in the Housing Element (Exhibit 2) indicates that the City needs to make available sufficiently zoned residential land within the City limits to accommodate an additional 810 multiple family units and 343 single family units. Table IV-16 (Exhibit 3) indicates that there is vacant residentially zoned land available to accommodate an additional 5,965 single family homes and an additional 4,110 multiple family homes. Even assuming none of the unincorporated parcels listed above is annexed within the next five years, the City has sufficient land within its existing City limits to accommodate an additional 4,655 single family units and 2,680 multiple family units - well in excess of its regional share thorough the year 1995.

In addition, the Land Use Element of the General Plan (page II-20) contains the following policy language to facilitate annexation of unincorporated land which is designated for residential and other urban uses:

"Policy 11: Annex urbanized pockets of unincorporated land adjacent to the City limits in those areas where landowners are willing to accept City services and development standards."

Therefore, it appears as though neither the amount of vacant land zoned for residential use within the City limits nor the City's adopted policies is a constraint to meeting the City's share of regional housing needs.

2. Growth Management Program, Design Review, Codes, and Fees

While the existing Growth Management Program (GMP) reserves 100 units exclusively for projects containing lower income units, it also encourages the inclusion of lower income units within the 0 to 650 annual allocation. In fact, Program 7.2 (page IV-20) specifically grants priority within the 0 to 650 range for projects fulfilling the City's lower income share of regional housing need. Also, Program 7.7 (page IV-20) specifically calls for the inclusion of lower-income housing units in market rate housing projects. Since 1980, the City's Growth Management Program has resulted in the City producing 332% of its moderate income and 104% of its low income share of regional housing need, as shown in Table IV-6 (Exhibit 2).

The attached table (Exhibit 4) provides current City fees for a typical 2,400 square foot single family home in Pleasanton. These fees are compared with other jurisdictions in a table compiled by the Bay Area Council in their publication entitled Taxing the American Dream (Exhibit 5). As shown in these tables, Pleasanton's residential fees are similar to other comparable cities in the survey. In terms of processing procedures, a typical residential subdivision (PUD) is approved by the City Council within 2 to 3 months of receipt

of a complete application. For hillside or other controversial projects requiring an EIR, an additional 3 months is required. This processing timeframe is less than in many jurisdictions.

The attached brochure (Exhibit 6) explains the City's Design Review process. For projects requiring design review, an additional one month is required for staff analysis and design review hearings.

The attached memorandum from the Director of Building Inspection (Exhibit 7) lists the City's amendments to the Uniform Building Code. A recent conversation with the City Attorney revealed no City amendments to the State Housing Law. The City's demolition record of less than nine units since 1986 would indicate that the City's Code Enforcement Program does not result in the reduction of older housing units built under less demanding codes.

The City's site improvement requirements vary according to the project. Policies in the City's Public Facilities Element require new development to pay their fair share of infrastructure improvements. The extent of these requirements is limited by the California Subdivision Map Act. The City's past record of far exceeding its share of regional housing needs is an indication that its policies for site improvements are not an actual constraint to the provision of housing for all economic segments of the community.

3. Availability of Financing

City staff recently surveyed local builders to discuss the availability of financing for residential construction in Pleasanton. Although financing for residential construction has tightened nationally in recent months due to the crisis in the Savings and Loan industry, most builders indicated that financing for Pleasanton projects has been readily available in recent years. The attached table (Exhibit 8) bears out this survey of builders and shows that residential activity has been well distributed throughout all neighborhoods which contain residentially zoned land in Pleasanton over the past decade.

4. Special Housing Needs

The attached tables (Exhibits 9 and 10) indicate the number of large households, female headed households, and the number of persons employed in farming, forestry and fisheries relative to the total population as of the 1980 census.

The 1980 Census shows 15.7% of all households containing 5 persons or more, as shown in Table IV-10. If this percentage were applied to the existing population, there would be 2,984 large households in Pleasanton as of 1990. The percentage of

renters city-wide was 21.8%, as of the 1980 census. Applying this percentage to the estimated number of large families in 1990 yields an estimated need for 641 rental units with 3 or more bedrooms. The 1980 census indicates that Pleasanton had a housing stock of 857 such units; therefore the supply 10 years ago was more than adequate for the rental component of large families. Since 1980, the City has approved 3,588 single family homes, 334 of which are estimated to be 3 bedrooms or more and available for renters. Therefore, the current supply of housing for large family renters exceeds existing need.

The 1980 Census shows 8.6% of all households containing female heads, as shown in Table IV-10. If this percentage were applied to the existing population, there would be 1,634 female headed households in Pleasanton as of 1990. Assuming that all of these households are of lower or moderate income, the City would need 1,634 units available in these income categories. Table IV-6 indicates that in the past decade the City has built 180 very low, 623 low, and 2,839 moderate income units. Therefore, the current supply of housing for female headed households far exceeds existing need.

The number of those employed in agricultural industries who are farmworkers is probably quite small. Although the exact number of farmworkers cannot be determined from existing data, Pleasanton's production of lower income housing in the past decade (803 units - see Table IV-6, Exhibit 2) far exceeds even the highest estimate in the census (123 persons).

The attached table (Exhibit 11) shows funds allocated from City CDBG funds for homeless programs, including the Tri-Valley Haven for Women. Recent conversations with their staff indicate that continued funding from the City should be increased relative to population growth, that existing facilities are adequate to serve existing need, and that no new facilities are needed in the area in the foreseeable future.

5. Fire Sprinklers

The City of Pleasanton is aware of the opinion of the Attorney General concerning a city's authority to regulate building standards relating to fire safety. The Pleasanton City Attorney holds a different view than that expressed by the Attorney General. The City will abide by any court decision of competent jurisdiction with respect to the City's authority in this area.

6. Assisted Housing

Because of the complexity of the issue involving the conversion of assisted housing projects, the City chooses to address this statutory requirement at a later date prior to the January 1, 1992 deadline.

B. Housing Programs

1. Programs to Provide Sites for All Income Levels

Policies 7 and 8 and respective programs call for the construction of housing affordable to lower and moderate income households consistent with regional share goals. The response to Comment A.1 indicates that sufficient land exists within the existing City limits to far exceed the City's share of regional housing needs through the year 1995. Therefore, additional programs do not appear to be needed.

2. Programs to Remove Government Constraints

The response to Comment A.2 indicates that neither the Growth Management Program, City fees, local Codes, nor site improvement requirements pose an actual constraint to the City's meeting and exceeding its share of regional housing needs. Therefore, no additional programs appear to be needed.

3. Programs to Promote Housing Opportunities

The Housing Element could be improved by rewording Program 20.2 to include specific mention of how fair housing laws are publicized. Therefore, the following revision is proposed:

Program 20.2: Publicize information on fair housing laws in City Hall and at residential sales offices and refer all complaints to HUD, ECHO, and the California Department of Fair Employment and Housing.

C. Supplemental Information

1. Proposition 77 and 84 Bond Programs

Information is noted and will be included in the Supplement to the Housing Element. No response nor revision is needed.

2. Density Bonus Statutes

Information is noted and will be included as Exhibit 12 in the Supplement to the Housing Element. No response nor revision is needed.

3. Manufactured Housing Statutes

Information is noted and will be included in the Supplement to the Housing Element. No response nor revision is needed.

June 20, 1990

Attachments:

Exhibit 1. Letter from Department of Housing and Community Development dated June 8, 1990

Exhibit 2. Table IV-6: Progress Toward Meeting Regional Housing Needs

Exhibit 3. Table IV-16: Housing Stock By Type of Unit

Exhibit 4. Fee Schedule: Typical Single Family Home

Exhibit 5. Comparison Of All City Fees, Bay Area Council

Exhibit 6. Design Review Information Guide

Exhibit 7. Memorandum From Director of Building Inspection, dated June 1, 1990

Exhibit 8. Housing Units By Subarea, 1980-1990

Exhibit 9. 1980 Census Information For Housing Element

Exhibit 10. Table IV-10: Special Need Households

Exhibit 11. Pleasanton HCD Summary of Expenditures

Exhibit 12: Assembly Bill 1863: Density Bonus Law

(CL:response.he)

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Housing Policy Development

Division

1800 Third Street, Room 430

P.O. Box 952053

Sacramento, CA 94252-2053

(916) 323-3176



June 8, 1990



Mr. James R. Walker
City Manager
City of Pleasanton
P.O. Box 520
Pleasanton, California 94566

Dear Mr. Walker:

RE: Review of the City of Pleasanton's Draft Housing Element

Thank you for submitting Pleasanton's draft housing element update, received for our review on April 27, 1990. As you know, we are required to review draft housing elements and report our findings to the locality (Government Code Section 65585(b)).

Our review of the City's element was facilitated by telephone conversations with Mr. Chandler Lee, the City's principal planner, on May 31, 1990.

Pleasanton's housing element is well written and responds to most of the identified needs of the City. The thorough review of housing programs and construction activity during the previous planning period, and the description of the City's efforts to develop housing through its current housing programs, demonstrate the City's commitment and success at addressing housing needs in Pleasanton. We commend the City for its record in developing an impressive number of low- and moderate-income units during the last few years, and for the innovative use of surplus, City-owned land to help create units affordable to elderly renters.

However, there are several areas which, in our opinion, require revisions to bring the element into compliance with State housing law (Article 10.6 of the Government Code). In particular, the element should include analyses of the housing needs of large households, families with female heads of household, and the homeless; greater analysis of City policies as potential governmental constraints to housing development or improvement; and an inventory of vacant land within the City limits, or land that can realistically be annexed and zoned for residential use during the planning period.

Mr. James R. Walker
Page Two


We understand that Pleasanton may require fire sprinklers in new single-family dwellings. For your information, a recent Attorney General's Opinion, No. 88-904, September 14, 1989, 72 Op. Cal. Attorney General 180, states that cities and counties may not adopt building standards relating to fire and panic safety that are more stringent than those adopted by the State Fire Marshal under Health and Safety Code Sections 17922, 17958.7 (State Housing Law). Based on the Attorney General's opinion, Pleasanton may not have the authority to require fire sprinklers in single-family residences.

In addition, you should be aware that Chapter 1451, Statutes of 1989, requires all housing elements to include, by January 1, 1992, additional needs analyses and programs to address the potential conversion of existing, assisted housing developments to non-low-income housing use during the next ten-year period (Government Code Section 65583(a)(8) and (c)(6)). The City may wish to respond to this issue while revising this draft to avoid having to amend its housing element by 1992. We are aware of two HUD-subsidized projects of this type in Pleasanton, and have attached information which may assist the City in addressing this new requirement. There may be other assisted housing developments within Pleasanton also eligible to convert to non-low-income use during the next ten-year period.

We hope our comments are helpful to the City. We appreciate Mr. Lee's cooperation during our review. If you have any questions about our comments or would like assistance in the revision of your housing element, please contact Robert Maus of our staff at (916) 327-2640.

In accordance with their requests according to the Public Information Act, we are forwarding a copy of this letter to the individuals listed below.

Sincerely,


Nancy J. Javor, Chief
Division of Housing Policy
Development

NJJ:RM:bt

Attachment

Mr. James R. Walker
Page Three

cc: Chandler Lee, Planner, City of Pleasanton
Rob Weiner, California Rural Housing Coalition
Clifford Sweet, Alameda County Legal Aid Society
Mike Rawson, Alameda County Legal Aid Society
Sue Hestor, Attorney at Law
Gary Hamby, Building Industry Association
Tom Cook, Bay Area Council
Revan A. F. Tranter, Association of Bay Area Governments
Kathleen Mikkelson, Deputy Attorney General
Bob Cervantes, Governor's Office of Planning and Research
Richard Lyon, California Building Industry Association
Kerry Harrington Morrison, California Association of Realtors
Marc Brown, California Rural Legal Assistance Foundation
Christine D. Reed, Orange County Building Industry Association

APPENDIX

City of Pleasanton

The following changes would, in our opinion, bring Pleasanton's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change we cite the supporting section of the Government Code. Where particular program examples or data sources are listed, these are suggestions for your information only. We recognize that Pleasanton may choose other means of complying with the law.

A. Housing Needs, Resources, and Constraints

1. Section 65583(a)(3) requires an inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services available to these sites.

The element should distinguish between vacant land within the City and nearby unincorporated parcels. If vacant land within the City's planning area is needed to accommodate the regional share, the element should include a program to annex the unincorporated land so that it would be available for housing development within the planning period of the element. The program should include a timeline for annexation together with expected zoning designations and residential densities.

Since the City has a history of actively annexing land, the program could include a summary of annexations and zoning designations that have occurred during recent years together with a commitment to continue the existing annexation program.

2. Analyze the City's land use controls, fees and exactions, building codes and enforcement procedures, permit and processing requirements, and on- and off-site development requirements, as potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels (Section 65583(a)(4)). The analysis of governmental constraints should include a determination as to whether a policy or procedure poses an actual constraint in the community.

The analysis of land use controls should include a discussion of the City's policies with regard to zoning, development standards, growth controls, open space requirements, etc.

The draft element should expand the analysis of the Growth Management Program (GMP), and summarize the requirements of the design review process. While the element states that the growth limitations imposed by the GMP annually exempt 100 units affordable to lower-income households and subdivisions of 5 units or less, it should also address the capacity of the GMP to accommodate the total regional share of new construction need for all income levels, and the effect of the GMP on local housing prices. We note that annually exempting 100 units affordable to lower-income households from the GMP will not be sufficient to accommodate all of the City's remaining regional share of lower-income units during the planning period.

The analysis of fees and processing procedures should include an itemization of current fees and information about typical processing times and approval procedures. A comparison of Pleasanton's policies with neighboring localities could demonstrate that the actual fees and processing times for a normal development are not excessive but similar to comparable jurisdictions within Pleasanton's region.

The analysis of building codes and their enforcement should include a discussion of any local amendments to the State Housing Law or the model codes adopted into it by reference, and should analyze the type and/or degree of enforcement. For example, a locality's preservation or code enforcement program may unduly penalize older dwellings built under less demanding codes.

The analysis of site improvement requirements should include a discussion of the City's policies with regard to street widths, curbing requirements, water and sewer connections, circulation improvements, etc.

3. Analyze the availability of financing as a potential and actual nongovernmental constraint upon the maintenance, improvement, or development of housing for all income levels (Section 65583(a)(5)).

The analysis of the availability of financing in Pleasanton should consider whether there are underserved income groups in the community for new construction or rehabilitation loans. In our opinion, the element does not indicate the City has analyzed this issue. Knowledge of this will assist the community in selecting and implementing responsive housing programs such as mortgage revenue bonding, a mortgage credit certificate program, or targeted low-interest rehabilitation loans.

The City could talk with local builders or nonprofit developers to obtain data on the availability of financing. Information on availability of financing may also be available from local financial institutions under the Home Mortgage Disclosure Act (HMDA), and under the Community Reinvestment Act (CRA). Both are federal requirements. The HMDA requires specified lending institutions to disclose the number, amount, and location of mortgage and rehabilitation loans originated or purchased. Lending institutions not covered under HMDA may be required by State disclosure law to provide comparable information (Section 35816 of the Health and Safety Code).

The CRA requires that specified lending institutions help meet the credit needs of their communities. Each lending institution covered by the CRA must provide maps describing its lending areas and information about the types of loans it provides, and establish a public file containing written comments from the community regarding the institution's CRA performance. The City could look at the community investment files of a portion of lending institutions active in Pleasanton to make a judgment on the availability of financing.

4. Analyze the special housing needs of large families, families with female heads of households, farmworkers and persons in need of emergency shelter (Section 65583(a)(6)). Such an analysis should examine the nature of the need and evaluate potential resources and program options available to the City to meet any identified need.

An adequate analysis should draw conclusions as to unmet need based upon the adequacy of existing resources. To analyze whether existing housing resources are sufficient for large families, the City might examine the tenure patterns of large families, survey the number of bedrooms in units rented by Section 8 holders, or compare the rental units with three or more bedrooms to the total rental stock. The City's housing assistance plan might be a source for much of this data. We have provided the City with possible sources of information about farm labor in the Pleasanton area which may be useful in determining whether an unmet need for farmworker housing exists in Pleasanton. If the analysis for these special needs categories shows a gap between available resources and housing needs, the City should develop programs to deal with any serious unmet housing need.

The City has identified a need to provide for the homeless. The City currently provides CDBG funds for

capital purposes to an agency sheltering battered women in the Tri-Valley area. The City may also wish to provide assistance to local organizations for housing and support services for the 10 to 15 Pleasanton women annually needing assistance.

B. Housing Programs

1. If appropriate pursuant to item A1 above, include program actions to provide adequate sites to facilitate the development of a variety of types of housing for all income levels (Section 65583 (c)(1)).
2. If appropriate pursuant to item A2 above, include program actions to remove or mitigate, where legally possible, governmental constraints to the maintenance, improvement, or development of housing (Section 65583 (c)(3)).
3. Describe in detail the program action to promote housing opportunities for all persons (Section 65583 (c)(5)). In our opinion, a fair housing information dissemination program is necessary to ensure full utilization of the housing discrimination program. For example, the City might wish to publicize the complaint referral agency through the local media, schools, libraries, the post office, or through housing advocacy groups.

C. Supplemental Information

1. Recently enacted State general obligation bond programs established by Proposition 77 (California Earthquake Safety and Housing Rehabilitation Bond Act of 1988) and Proposition 84 (Housing and Homeless Bond Act of 1988) are currently available to assist localities with funding to implement low- and very low-income housing programs. These funds may be used for the following activities:
 - acquisition of owner-occupied housing,
 - seismic rehabilitation of multifamily rental housing,
 - rental housing new construction,
 - acquisition and rehabilitation of emergency shelters,
 - development of migrant farm labor centers,
 - development of congregate housing for families and the elderly.

Inquiries regarding these and other assistance programs offered by HCD should be directed to:

California Department of Housing and Community
Development
Division of Community Affairs
P.O. Box 952054
Sacramento, California 94252-2054
Telephone (916) 322-1560

2. Chapter 842, Statutes of 1989, and Chapter 31, Statutes of 1990, amended State density bonus law (Governmental Code Sections 65913.4, 65915 and 65917) by providing for additional local incentives for affordable housing units and strengthening income targeting requirements, among other changes. We have enclosed a copy of our revised issue paper on the subject for your information.
3. Chapters 1571 and 1572, Statutes of 1988, require that manufactured housing must be permitted on permanent foundation systems on all single-family-zoned lots, so long as the unit is no more than ten years old on the date of application, and meets federal and optional local standards specified in Government Code Section 65852.3. (A locality may exempt from this provision any place, building, structure, or other object listed on the National Register of Historic Places.) Section 65852.3 specifies that local governments may impose architectural requirements on the manufactured home itself which are limited to roof overhang, roofing material, and siding material, so long as the requirements, or any other lot development standards imposed on the manufactured home installation, do not exceed those required for a conventional home on the same lot. Section 65852.4 has been added to the Government Code to specify that a locality may not subject an application to install a manufactured home on a foundation system on a single-family lot to any administrative permit, planning, or development process or requirement unless it is identical to those which would be imposed on a conventional home on the same lot.

3. Manufactured Housing Statutes

Information is noted and will be included in the Supplement to the Housing Element. No response nor revision is needed.

June 20, 1990

Attachments:

Exhibit 1. Letter from Department of Housing and Community Development dated June 8, 1990

Exhibit 2. Table IV-6: Progress Toward Meeting Regional Housing Needs

Exhibit 3. Table IV-16: Housing Stock By Type of Unit

Exhibit 4. Fee Schedule: Typical Single Family Home

Exhibit 5. Comparison Of All City Fees, Bay Area Council

Exhibit 6. Design Review Information Guide

Exhibit 7. Memorandum From Director of Building Inspection, dated June 1, 1990

Exhibit 8. Housing Units By Subarea, 1980-1990

Exhibit 9. 1980 Census Information For Housing Element

Exhibit 10. Table IV-10: Special Need Households

Exhibit 11. Pleasanton HCD Summary of Expenditures

Exhibit 12: Assembly Bill 1863: Density Bonus Law

(CL:response.he)

TABLE IV-6

PROGRESS TOWARD MEETING REGIONAL HOUSING NEEDS
HOUSING UNITS APPROVED 1980-1989

<u>Period</u>	<u>Above Mod</u>	<u>Moderate</u>	<u>Low</u>	<u>Very Low</u>	<u>Total</u>
1980-1990 (Need) (1)	1,923	855	598	898	4,274
1980-1989 (Approved) (2)	5,407 (281% of goal)	2,839 (332% of goal)	623 (104% of goal)	180 (20% of goal)	9,049

POTENTIAL TO MEET 1995 REGIONAL HOUSING NEEDS
HOUSING UNITS BUILT 1988-1989

<u>Period</u>	<u>Above Mod</u>	<u>Moderate</u>	<u>Low</u>	<u>Very Low</u>	<u>Total</u>
1988-1995 (Need) (3)	1,596	709	497	745	3,547
1988-1989 (Built)	1,253	1,358	352	80	3,043
1990-1995 Needed to Meet Goal	343	0	145	665	1,153

(1) ABAG, Housing Needs Determinations - San Francisco Bay Region, December 1983

(2) For a detailed listing of housing projects contributing to these approved units, see City of Pleasanton, Pleasanton Residential Projects, 1/1/90

(3) ABAG, Housing Needs Determination, January 1989

TABLE IV-16:
HOUSING STOCK BY TYPE OF UNIT
IN PLEASANTON'S SUBAREAS

SUBAREA	1989:			BUILDOUT:		
	S.F.	M.F.	TOTAL	S.F.	M.F.	TOTAL
1	609	35	644	1125	35	1160
2	10	209	219	450	784	1234
3	1230	350	1580	1403	495	1898
4	98	276	374	364	276	640
5	0	0	0	0	0	0
6	0	668	668	0	1022	1022
7	1712	33	1745	1712	33	1745
8	1559	174	1733	1773	300	2073
9	2170	805	2975	2170	805	2975
10	1199	531	1730	1319	600	1919
11	15	0	15	735	190	925
12	1215	483	1698	1939	683	2622
13	303	470	773	350	700	1050
14	7	262	269	1000	2268	3268
15	2036	1285	3321	2985	1500	4485
16	697	75	772	1500	75	1575
TOTAL	12860	5656	18516	18825	9766	28591

Apr-90

(hsgstock)

NOTES:

S.F. = "single family"; SF dwellings have no common walls.

M.F. = "multiple family"; MF dwellings have common walls from ground to roof.

AM111 4
NAME Typical Single Family Home
Pleasanton DATE June 1990

ADDRESS 2400 Sq. Ft., Double Garage, 4 Bdrm/2.5 Bath

PERMIT NO. Varies by Sq. Ft. PREPARED BY

Building Permit Fee	01-3051	800
Plan Checking - Building	01-3276	520
Plan Checking - Fire	01-3275	--
Plumbing Permit	01-3053	100
Electric Permit	01-3052	75
Heating-Vent. Permit	01-3054	85
Zone 7 Drainage	57-3292	500
Zone 7 Water	57-3293	830
City Water Connection	55-3329	466
City Sewer Connection DSRSD	56-3353	3100
Sewer Connection Surcharge	56-3355	500
Residential Construction Tax -4 Bdrm	54-3482	500
Long-Term Res. Dev. Agree. Fees	54-3487	
Water Meter	05-3327	50
Metered Constr. Water	64-3331	25
Capital Impr. R.A.P./GMP Planning	54-3484	525
School Impact Fee (1.50 sq.ft.Max.3250)	13-3475	(3250) See School Dist.
Eng. Inspection Fees	01-3288	(4% off site tract)
Park Dedication Rm-6500	59-3291	1650
Annexation Fee	58-3231	--
Encroachment # 22	01-3055	22.00
Cash Bond /Letter of credit	32-3483	(min. 2500 per tract)
Housing Corp Trust Fund Planning	71-3485	400
Growth Management Fee		
Bonds Reservoir	55-2831	750
TOTAL		\$10,898
school Fee		+ 3,250
		\$14,148
Contractor's Name		

Business License Required

Yes No

Phone Number

Table A
Summary of
Development
Fees Reported
by Bay Area
Localities

County	Cities	Growth Impact Fees					Fire & Police Facilities	General Growth Fees and Taxes	Affordable Housing Fees	Total Growth Fees	Total Utility Fees	Total Fees 1987	Total Fees 1981
		Total Planning Fees	Total Building Fees	School Impact	Traffic Street Impact	Parks, Recreation & Open Space							
Alameda	Alameda	38	885	2151	0	0	0	2350	0	1501	1120	6844	2767
	Castro Valley (Home)	60	1275	2151	0	500	0	0	0	2651	5060	9046	2146
	Emeryville	140	980	2151	1934	1800	666	1026	0	2577	5255	13952	3677
	Livermore	186	1214	2151	0	1208	0	1591	1667	6617	4599	12616	8113
	Oakland	95	1503	0	0	0	0	0	0	0	1075	2673	2654
	Pleasanton	49	782	2151	400	1650	0	1130	100	5731	4862	11424	5999
	Union City	117	1541	2151	106	630	0	0	0	2887	5255	9830	5575
Contra Costa	Antioch	34	1023	2151	314	461	235	0	0	3161	5130	9348	5536
	Brentwood	106	766	2151	2223	557	385	0	0	5316	3102	9590	4670
	Concord	57	789	2151	1007	1349	0	0	0	1507	2240	7593	3511
	Hercules	158	1659	2151	0	0	238	1382	0	3771	2631	8219	4126
	Marsh	204	743	2151	1120	1098	0	0	0	4649	3005	8621	3456
	Mayfield	82	751	0	200	4080	0	0	0	4280	4060	9123	4056
	Orinda (Home)	150	1025	2151	2514	855	600	0	0	6120	5802	13097	4037
	Pittsburg	38	1129	2151	880	0	235	0	0	3266	1508	6141	1059
	Richmond	59	1591	2151	0	432	0	0	0	2583	2137	6666	2558
	San Ramon	233	1480	2151	1500	1724	0	0	0	5375	5720	12858	N/A
Marin	Belvedere	110	1352	2064	0	0	0	510	0	2594	3125	7181	2819
	Sausalito	61	798	710	1250	0	0	383	0	2343	5200	8402	4251
	Sausalito	127	1242	0	0	0	0	300	0	300	3600	5319	1314
Napa	Napa	75	1315	2151	379	719	0	125	0	3374	1665	6458	2700
San Francisco	San Francisco	205	1359	2151	0	0	0	0	0	2151	1200	4915	N/A
San Mateo	Broomfield	27	2256	1293	0	472	0	350	0	2615	2582	7480	3490
	Redwood City	67	1181	2151	0	2670	0	0	0	4821	2900	9269	2437
	Redwood	106	1299	2151	1820	1000	0	310	0	5301	4237	10943	4672
	San Carlos	21	1057	2151	0	2000	0	0	0	4151	2450	7679	N/A
	San Mateo	250	1324	2151	0	1884	0	0	0	4018	1876	7498	1324
Santa Clara	Union City	53	808	473	240	5000	0	283	0	5916	1400	8257	1883
	Vallejo	116	979	2151	0	1800	533	0	0	4484	2629	8728	3398
	Mountain View	61	881	2151	0	4520	0	0	0	6671	1818	9434	2115
	San Jose	284	723	2151	22	0	29	1255	0	5457	1660	8124	6101
	Sunnyvale	59	1702	473	0	1530	54	1010	0	3067	3159	7987	3547
Solano	Brentwood	53	1655	3009	0	1609	0	613	0	5231	3582	10521	N/A
	Eastfield	69	1004	2151	0	1723	0	1953	0	5827	5725	12625	8269
	Sacramento	50	1235	2151	1563	1033	0	1210	0	5957	5184	12426	6631
	Vallejo	51	974	2151	1145	1145	0	860	0	5301	6813	13159	6190
	Vallejo	55	935	2151	549	748	0	542	0	3990	5418	10398	6151
Sonoma	Eastfield	81	1130	2151	335	1200	0	400	0	4086	4510	9807	N/A
	Evolution	103	1880	2007	1500	2166	0	1510	2100	3603	3180	14766	4361
	Redwood Park	35	532	2151	100	0	0	880	0	3131	5500	9198	3295
	Santa Rosa	207	493	2151	70	961	0	1200	0	4382	2750	7832	2676
	Woodland (Home)	65	623	2151	1340	718	161	0	0	4373	6591	11655	4741
Bay Area Medians (1987)		68	1094	2151	1076	1204	312	880	NA	4378	3291	9110	
Bay Area Medians (1981)		41	610	650	512	700	NA	525	NA	1032	2189		4037

Assumption: a 1.5% development with 10 single family detached houses. House with 1 bedroom, two bath, 1.5 car garage, 1000 sq. ft. space. Land value is assumed to be \$100 per acre, with 1000 sq. ft. space. When using this table, determine the fees.

Notes: 1. The fees are not uniform. Special districts are included and may substantially affect the growth fee. The fees are not uniform. Special districts are included and may substantially affect the growth fee. The fees are not uniform. Special districts are included and may substantially affect the growth fee.

Source: A. C. Bay Area Council

Copyright 1987 by Bay Area Council

Source: Bay Area Council

WORK SESSION

The planner will prepare a brief memorandum summarizing the application and highlighting any potential concerns for the Design Review Board work session. The schedule and agenda for the Wednesday work session meeting and a copy of the staff memorandum will be mailed to you the Friday before the work session. You are urged to attend the work session, where you will have the opportunity to discuss your application with the Design Review Board members in an informal setting. You will receive feedback concerning your proposal, and it is possible that changes may be suggested or recommended.

Following the work session, the planner will write a detailed staff report on the application for review by the Design Review Board in a public hearing, usually approximately three weeks after the work session. This report will contain the staff's analysis of the case and a recommendation for action. The recommendation can be to approve, deny, or approve with conditions. You will be mailed a copy of the report with an agenda of the meeting the Friday before the hearing. If you modify your proposal following the work session, staff will require additional revised exhibits (10 copies) within one week after the work session to include as attachments to the staff report.

THE PUBLIC MEETING

A notice will be sent to everyone who lives or owns property within 300 feet of your property informing them of the proposed project and the date, time, place, and purpose of the Design Review Board public hearing. It is at the hearing that the actual decision will be made concerning your application. The Design Review Board is the decision-making body. The Board will consider the information in the staff report and any testimony given at the hearing. It is recommended that you attend the hearing to answer any questions the Board may have.

APPEAL PERIOD

You will be informed by letter of the decision of the Board and of any conditions that may have been attached to an approval. The decision shall become effective on the day following the first meeting of the City Council after the Design Review Board action, usually within seven days. If the Board denies your request, or you do not agree with an attached condition, you may appeal the decision to the Planning Commission or to the City Council by submitting a written request within 15 days of the Board's decision. If an appeal is heard by the Planning Commission, the Commission's decision may be further appealed to the City Council. The City Council can also elect on its own to review the case.

To make your appeal, you must make a written request and submit a fee (equal to 25 percent of the original application fee) to the Planning Department within the 15-day appeal period. An appeal will be scheduled for the first available Planning Commission or City Council meeting. Public notice will be given and a staff report prepared in the same manner as for the Design Review Board meeting.

PROJECT APPROVAL

The decision of the City Council (or Planning Commission, if not appealed further) will be final for a project that has been appealed for further review. If the Design Review Board approves your application and there is no appeal filed within the allowed period following the public meeting, your approval becomes effective and you may proceed with your project as directed by the Design Review Board.



CITY OF PLEASANTON
Planning Department
200 Old Bernal Avenue
P.O. Box 520
Pleasanton, CA 94566
(415) 484-8023

INFORMATIONAL GUIDE FOR

DESIGN REVIEW

APPLICATION SUBMITTAL

This information is provided as a guide to assist you in the preparation of your application for design review approval. It is also intended to explain the process by which the City analyzes and acts upon the application.

WHAT IS DESIGN REVIEW ?

The Pleasanton Municipal Code is a body of law that, among other things, establishes a procedure for the review of new uses and structures (except single-family dwellings), including exterior alterations/enlargements to existing buildings and establishments. The elements of the design review process include exterior architecture, materials, textures, colors, landscaping, parking, and illumination. The Design Review Board is the decision-making body designated to act on these applications.

The City promotes the construction of structures in proper relationship to their site location and the surrounding area through originality in site planning, architecture, landscaping, and design. Please keep these points in mind in developing the design for your project. The Planning Department encourages you to submit preliminary, conceptual plans for your project for staff comment prior to the submittal of a formal application for design review approval.

Although not required, the concurrent review of signage is encouraged at the time of design review to ensure compatibility with architecture and with other features of the project. If any signage is proposed, the location, design, and details of the sign(s) should be clearly shown in the appropriate scale on the required exhibits. Please refer to the "Informational Guide for Sign Design Review Application Submittal" for additional information regarding sign proposals.

SUBMITTALS

- Completed Application Form
- Environmental Questionnaire (if applicable)
- Filing Fee
- Site Plan Drawings
- Elevation Drawings
- Photographs of Site and Surroundings

APPLICATION FORM

The more complete the application is, the more promptly it can be processed. It is important that the entire application form be filled out. A planner can assist you as needed. Please state clearly what the application is for -- purpose/function of the project, unique characteristics of the proposal, size of construction, etc. This information should be included on the application form or attached on a separate sheet of paper. A property owner signature or letter of authorization is also required in order to submit the application. Other information that may clarify the application, such as a material and color sample board, is also encouraged. It is strongly recommended that you submit photographs of the existing site with the application.

ENVIRONMENTAL QUESTIONNAIRE

Depending on the size and nature of the project proposed, your application may be subject to the requirements of the California Environmental Quality Act (CEQA). A planner will determine whether your application will be subject to CEQA and, accordingly, whether an environmental questionnaire will be necessary to accompany your application. For further information on the City's procedures regarding CEQA requirements, please refer to the "Informational Guide for Environmental Review".

EXHIBITS

SITE PLAN

A site plan drawing that clearly shows the proposed location and dimensions of the proposed construction is required. The site plan should clearly indicate physical features, both existing and proposed, including structures, landscaping, access, parking, and the location of all easements, wells, or other improvements. It is important to show dimensions of the site, of the proposed construction, and the distance of buildings from property lines (setbacks). Specific information should provide the following:

- 1) Name, address, and telephone number of property owner(s), developer, and the engineer, architect, or designer.
- 2) Tract/lot number, assessor's parcel number, or other reference.
- 3) Date, north arrow, graphic and written scale, and vicinity map.
- 4) Size of the subject property.
- 5) Existing zoning.
- 6) Location of all proposed buildings or structures, with approximate floor elevations and setback dimensions from property lines.
- 7) Layout of all proposed on-site improvements (drives, landscaping, parking, trash storage, drainage, and other special features).
- 8) Location, dimensions, and uses of all existing easements.
- 9) Location of all existing buildings, structures, wells, or other improvements in relation to existing or proposed street and lot lines, and a statement that they are to remain or to be removed.
- 10) Location, size and species of existing trees (refer to Heritage Tree Ordinance), noting that they are to remain or to be removed.
- 11) Landscape plan, with types, numbers and sizes of proposed plants.
- 12) Exterior property lines of the proposed development, with bearings and distances from record information (with source noted).
- 13) Topographical information (contour lines for existing topography, spot elevations for proposed improvements) to enable evaluation of the project impacts on the subject site and adjacent properties.
- 14) Statement that the development is in, partially in, or not in a flood hazard zone or a seismic special studies zone.
- 15) Adjacent streets, with sufficient detail to enable evaluation of project impacts on traffic safety, including: right-of-way width, curb, gutter, sidewalk, edge of pavement, median curbs, existing and proposed access to site from street and adjacent properties, existing access to surrounding properties, power poles, street lights, hydrants, street trees, traffic control signs and devices, and similar features. Information should extend sufficiently beyond the subject property to show all relevant features.

- 16) Location of all existing City utilities; proposed utilities and fire service system must be shown in at least a schematic manner.
- 17) Size (floor area and footprint) of structures, number of parking spaces, sizes of parking spaces, loading and circulation areas.
- 18) Parking analysis based on the types of uses proposed.

ELEVATIONS

Elevation drawings, or other exhibit that clearly shows in a graphic manner the proposed construction, are also required. The drawings should indicate the detailed appearance of the construction, appropriate dimensions, materials and colors to be used, and any special physical characteristics or architectural features of the project that would assist in the evaluation of the application. Details of the plan which must be shown include pad-mounted electrical transformers, above-ground backflow prevention valves, trash enclosures, and methods for the screening of both ground-mounted and roof-mounted mechanical equipment).

QUANTITY AND SIZE OF EXHIBITS

A total of twenty-five (25) sets of the exhibits are required to accompany the application materials. At the applicant's discretion, fifteen (15) copies of exhibits can be submitted with the initial application for staff review and for the Design Review Board work session (described below in "The Application Process"). The remaining ten (10) copies can be submitted prior to the Design Review Board public hearing to allow for any revisions to the exhibits that may be required following the work session.

Three (3) of the initial sets of plans must be submitted on 18" x 24" or 24" x 36" standard, full-sized sheets. The remaining copies of plans must be submitted on sheets which have been photographically reduced to a maximum size of 11" x 17" or smaller. If the plans are revised following the work session, at least one of the revised sets must be on full-sized sheets. Plans must be legible. All materials must be folded to fit an 8 1/2" x 11" file folder in order to be accepted for processing.

THE APPLICATION PROCESS

STAFF ANALYSIS

When your application is submitted to the Planning Department, it will be examined to make sure that it is complete. Partial or incomplete applications may delay processing. If the application is found to be in order, it is scheduled for an informal work session with the Design Review Board. Work sessions are held on the first and third Wednesday evenings of each month at City Hall. Following the work session, the application is then scheduled for a public hearing before the Design Review Board approximately three weeks later. Hearings are held at City Hall on the second and fourth Tuesday evenings of each month.


We must receive your completed application at least one and a half weeks prior to the Design Review Board work session for which it is to be scheduled, and at least four and a half weeks prior to the public hearing. Although your project may be scheduled for a later meeting, this is the minimum time needed to prepare the project for the Design Review Board public hearing. After the application is received, a planner will be assigned to analyze your application and to confer with other City departments. The planner may need to contact you for a site inspection or to ask questions concerning the application. A review will be made to check conformity with required building setbacks, parking requirements, landscaping standards, site access, provisions for extension of utilities and services, and other similar issues. The proposed construction and use will be examined for aesthetic impacts and any potential effects on neighboring properties. It is possible that changes or modifications to your project may be suggested.

MEMORANDUM

JUN - 1 1990

JUN - 1 1990

TO: Chandler Lee, Principal Planner

FROM: Gary W. Smith, Director Building Inspection 

SUBJECT: Uniform Code Adoption, Amendments

DATE: June 1, 1990

Please find listed, the amendments to our code adoption.

1988 Uniform Building Code

1. The code was amended to require any building over 8000 square feet to be fire sprinklered.
2. Any residence beyond 5 minutes from the nearest fire house, or in a high-fire hazard area must be fire-sprinklered.
3. All buildings (new construction, or re-roofs) must have a minimum class "C" fire retardant roof.
4. Smoke detectors must be added to residences at the time of sale.
5. Spark arrestors must be added to chimneys when:
 - 1) The residence is sold.
 - 2) The residence is re-roofed.
 - 3) A permit is issued and the valuation exceeds \$1,000.

1988 Uniform Plumbing Code

1. The City of Pleasanton did not adopt polybutylene.
(We adopted 1979 U.P.C. section 1004 materials)

APPENDIX VII.-3:
HOUSING UNITS BY SUBAREA, 1980-1990

SUB-AREA	1/1/80	1/1/85	1/1/86	1/1/87	1/1/88	1/1/89	1/1/90	% Increase Within Each Subarea (80-90)	% Total 80-90 Growth Within Each Subarea
1	422	431	438	445	450	456	462	9%	1%
2	10	10	10	10	10	219	531	5210%	7%
3	1,227	1,297	1,409	1,447	1,499	1,580	1,595	30%	5%
4	262	305	347	353	364	374	379	45%	2%
5	0	0	0	0	0	0	0	0%	0%
6	0	0	0	0	0	668	1,022	(n/a)	14%
7	1,531	1,621	1,687	1,734	1,734	1,745	1,745	14%	3%
8	911	1,221	1,408	1,537	1,633	1,733	1,883	107%	13%
9	2,319	2,785	2,967	2,975	2,975	2,975	2,975	28%	9%
10	1,155	1,406	1,547	1,620	1,643	1,730	1,730	50%	8%
11	15	15	15	15	15	15	15	0%	0%
12	671	870	1,316	1,415	1,581	1,698	1,882	180%	16%
13	676	679	679	708	752	773	780	15%	1%
14	7	7	7	7	269	269	469	6600%	6%
15	2,536	2,796	2,857	2,944	3,104	3,321	3,429	35%	12%
16	312	384	449	508	533	622	708	127%	5%
TOTAL	12,054	13,827	15,136	15,718	16,562	18,178	19,805	63%	100%

(pVII-4)

05/31/90

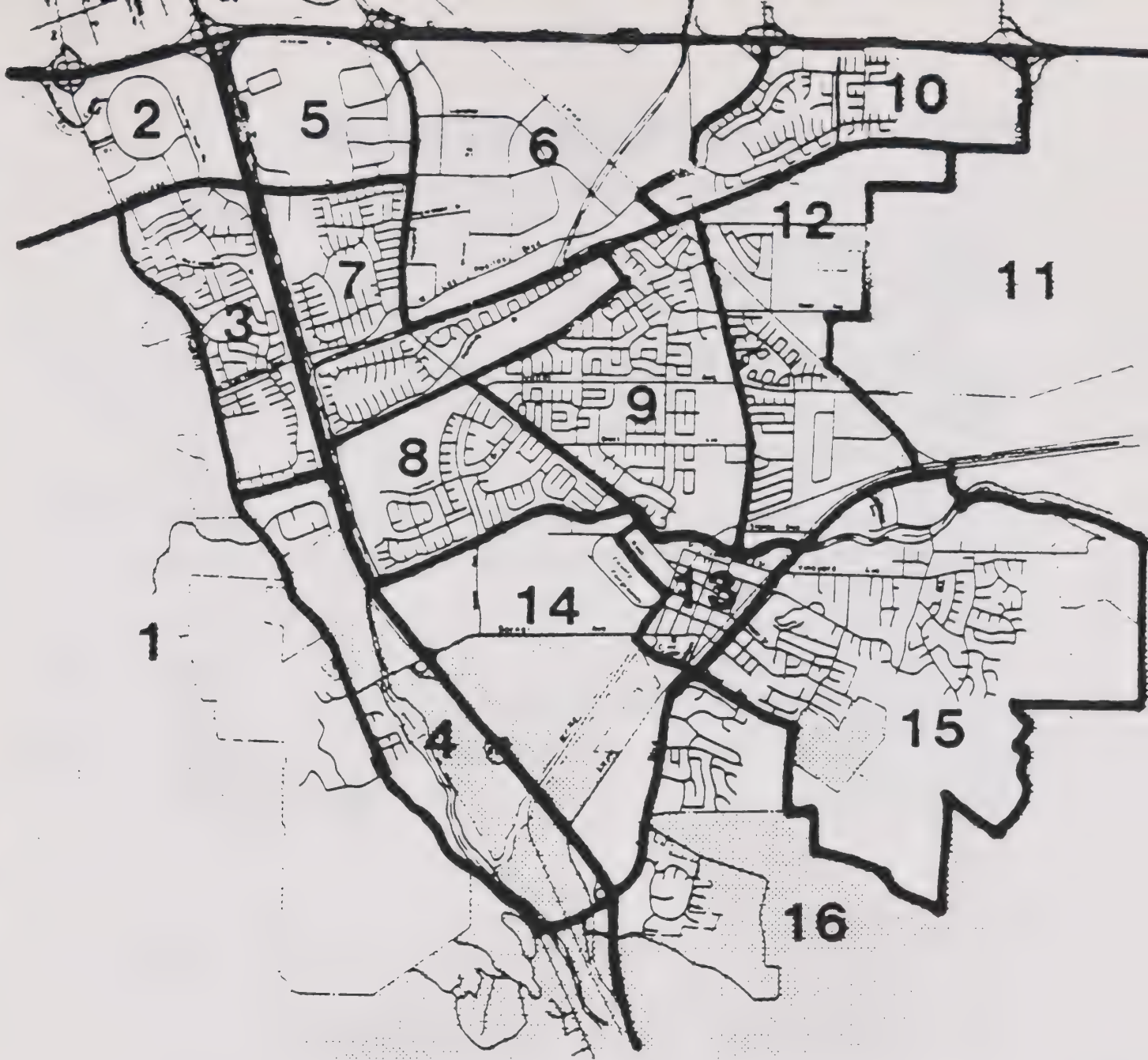


FIGURE IL-1

PLEASANTON SUBAREAS

1980 CENSUS INFO. FOR HOUSING ELEMENT

<u>DATA:</u>	<u>#</u>	<u>% OF TOTAL</u>
<u>"Elderly" population</u>		
Persons 55 years and older	3,673	10.4%
Persons 60 years and older	2,490	7.1%
Persons in homes for aged	133	0.4%
Large households (5+ persons)	1,795	15.8%
<u>Housing tenure</u>		
Owner-occupied units	8,672	76.6%
Renter-occupied units	2,645	23.4%
Owner-occupied units w/3+ bedrooms	7,643	67.5%
Renter-occupied units w/3+ bedrooms	857	7.6%
<u>Number of "farmworkers"</u>		
Persons employed in farming, forestry, and fisheries	123	0.7%
Seasonal/Migratory Housing Units	0	0.0%
Total Population	35,160	100.0%
Total Units	11,317	100.0%
Total Households	11,366	100.0%

TABLE IV-10
SPECIAL NEED HOUSEHOLDS

	<u>Pleasanton</u> <u>Percent (2)</u>	<u>Number (3)</u>	<u>State</u> <u>Percent (4)</u>
<u>Disability (Handicapped)</u>			
- Work Disability (individuals)	2.8%	532	6.2%
- Public Transportation Disability (individuals)	1.0%	190	3.5%
<u>Elderly (households with one or more members 65 years or greater)</u>	8.6%	1,634	20.2%
<u>Large Family (5 or more in family)</u>	15.7%	2,984	12.4%
<u>Female Headed Households</u>	8.6%	1,634	10.2%
<u>Farm Worker (1)</u>	0%	0	1.8%
<u>Homeless (individuals) (4)</u>	0%	2	N/A
TOTAL 1990 HOUSEHOLDS		<u>19,010</u>	

(1) There is no farming activity within the City limits of Pleasanton

(2) Percentage of Households or Individuals as of 1980 Census

(3) Percentage of 1980 Households x Total 1990 Households
(estimate)

(4) Pleasanton Police Department

Source: State Census Data Center (based on 1980 Census)

PLEASANTON HCD SUMMARY, 1985-1991

Fiscal Year	Project Name	Amount Budgeted	Project Purpose
85-86	Valley Community Health Center	\$30,000	purchase/install modular unit
85-86	Kottinger Place Improvements	\$14,500	repaving, lighting, paint carports
85-86	Downtown Street Reconstruction	\$102,941	Augustine Street reconstruction
85-86	Public Improvements for Handicapped	\$20,000	miscellaneous improvements to public bldgs.
85-86	Pleasanton Gardens	\$10,000	emergency flood repairs
85-86	Administration	\$12,000	program administration expenses
	FY85-86 BUDGET TOTAL:	\$189,441	
86-87	Valley Community Health Center	\$5,088	2nd year funding of clinic expansion
86-87	Kottinger Place Improvements	\$25,412	replace site lighting
86-87	Downtown Street Reconstruction	\$33,200	design (Railroad, Spring, St. Mary, Division)
86-87	Administration	\$8,500	program administration expenses
	FY86-87 BUDGET TOTAL:	\$63,700	
87-88	Kottinger Place Improvements	\$63,697	roof replacement
87-88	Downtown Street Reconstruction	\$45,000	St. Mary St. reconstruction
87-88	Pleasanton Gardens	\$5,000	security and ventilation improvements
87-88	Administration	\$10,200	program administration expenses
	FY87-88 BUDGET TOTAL:	\$123,897	
88-89	Valley Community Health Center	\$49,700	lab/ext. improvements (design/1st ph. constr.)
88-89	Kottinger Place Improvements	\$7,900	interior repainting
88-89	Downtown Street Reconstruction	\$5,000	St. Mary St. reconstruction (cont'd.)
88-89	Pleasanton Gardens	\$14,000	lighting and ventilation improvements
88-89	Kaleidoscope Center/Keystone	\$5,600	interior equipment and renovations
88-89	Tri-Valley Haven for Women	\$6,400	interior/exterior shelter improvements
88-89	Administration	\$5,400	program administration expenses
	FY88-89 BUDGET TOTAL:	\$94,000	
89-90	Valley Community Health Center	\$25,300	final construction of lab/ext. improvements
89-90	Tri-Valley Haven for Women	\$14,000	interior/exterior shelter improvements
89-90	Kottinger Place Improvements	\$55,900	complete roof replacement project
89-90	Administration	\$7,400	program administration expenses
	FY89-90 BUDGET TOTAL:	\$102,600	
90-91	Kottinger Place Improvements	\$45,552	exterior repainting/landscape improvements
90-91	Kaleidoscope Center	\$14,200	partial funding of modular facility
90-91	Tri-Valley Haven for Women	\$10,000	interior/exterior shelter improvements
90-91	Administration	\$7,800	program administration expenses
	FY90-91 BUDGET TOTAL:	\$77,552	

#PD

Assembly Bill No. 1863

CHAPTER 842

An act to amend Sections 65913.4, 65915, and 65917 of the Government Code, relating to housing.

[Approved by Governor September 25, 1989. Filed with Secretary of State September 26, 1989.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1863, Hauser. Density bonuses or housing incentives of equivalent value.

(1) Existing law requires a city, county, or city and county, under certain conditions, to grant a density bonus or a housing incentive of equivalent value to a developer agreeing to construct housing in which specified percentages of the units are constructed for persons and families of low- or moderate-income, or very low income households, as defined under state law unless the city, county, or city and county makes a finding that the density bonus or housing incentive is unnecessary for certain reasons.

This bill would, instead require a city, county, or city and county to grant at least one density bonus and would permit an additional housing incentive to be granted unless the city, county, or city and county makes a written finding that the density bonus or housing incentive is not required, as specified.

This bill would also make these provisions applicable to a proposal of a developer under the terms of existing law and would recast these provisions to make them applicable, as specified, solely to lower and very low income households as defined under existing law. The bill would require that "equivalent financial value" of other incentives for these purposes be based upon the land cost per dwelling unit.

(2) Under existing law, developments subject to density bonuses or other equivalent incentives are required to be occupied as low- or moderate-income units for 30 years if certain direct financial contributions are made by a city, county, or city and county.

This bill would extend this 30-year set-aside requirement to any development with lower income density bonus units, as specified.

(3) This bill would require a city, county, or city and county to establish procedures for waiving development and zoning standards, as part of this statutory scheme.

(4) The bill would expressly prohibit the granting of any incentive in the absence of an agreement between the city, county, or city and county in accordance with existing law, if the incentive would undermine the legislative intent of these provisions, as revised by the bill.

(5) The new requirements imposed upon cities, counties, and cities and counties, as summarized above, would constitute a

state-mandated local program.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares that the need for lower income housing is increasing throughout the state. The Legislature further declares that local governments and the private sector must work together to produce the necessary affordable housing; and in so doing, the local governments must offer the private sector incentives for the development of affordable housing to ensure adequate housing for all Californians.

SEC. 2. Section 65913.4 of the Government Code is amended to read:

65913.4. (a) If a developer agrees to construct a housing development with 20 percent or more of the units reserved for occupancy by lower income households, as defined by Section 50079.5 of the Health and Safety Code, including elderly persons and families, as defined by Section 50067 of the Health and Safety Code who meet the criteria for lower income households, a city, county or city and county issuing permits for the housing development shall, unless it makes a written finding described in subdivision (b) provide a density bonus, and at least one or more, of the following regulatory concessions or incentives to ensure that the housing development will be produced at a reduced cost:

(1) A reduction in site development standards or a modification of zoning code requirements or architectural design requirement which exceed the minimum building standards approved by the State Building Standards Commission, as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required.

(2) Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

(3) Other regulatory incentives or concessions proposed by the developer or the city, county, or city and county which result in identifiable cost reductions.

This subdivision does not limit or require the provision of direct

financial incentives for the housing development, including the provision of publicly owned land, by the city, county, or city and county or the waiver of fees or dedication requirements.

(b) After evaluating the regulatory concessions or incentives which could result in the housing development being produced at a reduced cost pursuant to subdivision (a), a city, county, or city and county may make a written finding that the additional concession or incentive is not required in order for rents for the targeted units to be set pursuant to subdivision (c) of Section 65915.

(c) This section applies to any housing development containing five or more units, including, but not limited to, those developments that receive federal, state, or local construction or mortgage financing assistance, mortgage insurance, or rent subsidies. Except for units financed under Sections 1472 and 1490a of Title 42 of the United States Code, the units for lower income households specified in subdivision (a) shall be reserved for a period of 30 years, or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.

SEC. 3. Section 65915 of the Government Code is amended to read:

65915. (a) When a developer of housing proposes a housing development within the jurisdiction of the local government, the city, county, or city and county shall provide the developer incentives for the production of lower income housing units within the development if the developer meets the requirements set forth in subdivisions (b) and (c). The city, county, or city and county shall adopt an ordinance which shall specify the method of providing developer incentives.

(b) When a developer of housing agrees or proposes to construct at least (1) 20 percent of the total units of a housing development for lower income households, as defined in Section 50079.5 of the Health and Safety Code, or (2) 10 percent of the total units of a housing development for very low income households, as defined in Section 50105 of the Health and Safety Code, or (3) 50 percent of the total dwelling units of a housing development for qualifying residents, as defined in Section 51.2 of the Civil Code, a city, county, or city and county shall either (1) grant a density bonus and at least one of the concessions or incentives identified in Section 65913.4 unless the city, county, or city and county makes a written finding that the additional concession or incentive is not required in order for rents for the targeted units to be set as specified in subdivision (c), or (2) provide other incentives of equivalent financial value based upon the land cost per dwelling unit.

(c) A developer shall agree to and the city, county, or city and county shall ensure continued affordability of all lower income density bonus units for 30 years. Those units targeted for persons and families with incomes at or below 80 percent of area median income

shall be affordable at a rent that does not exceed 30 percent of percent of area median income. Those units targeted for persons a families with incomes at or below 50 percent of area median income shall be affordable at a rent that does not exceed 30 percent of percent of area median income. If a city, county, or city and county does not grant at least one concession or incentive pursuant to paragraph (1) of subdivision (b), the developer shall agree to agree to city, county, or city and county shall ensure continued affordability for 10 years of all lower income housing units receiving a density bonus.

(d) A developer may submit to a city, county, or city and county a preliminary proposal for the development of housing pursuant to this section prior to the submittal of any formal requests for general plan amendments, zoning amendments, or subdivision map approvals. The city, county, or city and county shall, within 90 days of receipt of a written proposal, notify the housing developer in writing of the procedures under which it will comply with this section. The city, county, or city and county shall establish procedures for carrying out this section, which shall include legislative body approval of the means of compliance with this section. The city, county, or city and county shall also establish procedures for waiving or modifying development and zoning standards which would otherwise inhibit the utilization of the density bonus on specific sites. These procedures shall include but not be limited to, such items as minimum lot size, side yard setbacks, and placement of public works improvements.

(e) The housing developer shall show that the waiver or modification is necessary to make the housing units economically feasible.

(f) For the purposes of this chapter, "density bonus" means a density increase of at least 25 percent over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the developer to the city, county, or city and county. The density bonus shall not be included when determining the number of housing units which is equal to 10 or 25 percent of the total. The density bonus shall apply to housing developments consisting of five or more dwelling units.

(g) "Housing development" as used in this section means one or more groups of projects for residential units constructed in one planned development of a city, county, or city and county. For purposes of calculating a density bonus, the residential units do not have to be based upon individual subdivision maps or parcels. The density bonus shall be permitted in geographic areas of the housing development other than the areas where the units for the lower income households are located.

(h) If a developer agrees to construct both 20 percent of the total units for lower income households and 10 percent of the total units

for very low income households, the developer is entitled to only one density bonus and at least one additional concession or incentive identified in Section 65913.4 under this section although the city, city and county, or county may, at its discretion, grant more than one density bonus.

SEC. 4. Section 65917 of the Government Code is amended to read:

65917. In enacting this chapter it is the intent of the Legislature that the density bonus or other incentives offered by the city, county, or city and county pursuant to this chapter shall contribute significantly to the economic feasibility of lower income housing in proposed housing developments. In the absence of an agreement by a developer in accordance with Section 65913.5 or 65915, a locality shall not offer a density bonus or any other incentive that would undermine the intent of this chapter.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act. Notwithstanding Section 17580 of the Government Code, unless otherwise specified in this act, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

SEC. 6. Sections 1 to 5, inclusive, of this act, unless otherwise specified, shall apply to charter cities.

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